

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.15151 of 2019

Venkatesh

.. Petitioner

Vs.

The State rep. By
Inspector of Police.
J-6, Thiruvanmiyur Police Station,
Chennai District.
(Crime No.2248 of 2016)

.. Respondent

Prayer:

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to modify the condition that the accused shall execute a bond for Rs.10,000/- on his own along with two sureties each like sum to the satisfaction of the learned Sessions Judge, Mahila Court at Chennai and imposed upon the petitioner in Crl.M.P.No.8938 of 2019 dated 08.05.2019 by the VI Additional Sessions Judge cum Vacation Sessions Judge, Chennai.

For Petitioner : Mr.S.M.Vetrivel

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

सत्यमेव जयते
ORDER

This petition has been filed seeking for modification of the condition imposed by the Court below while granting bail to the petitioner.

2.The petitioner was arrested and remanded to judicial custody for an offence punishable under Sections 397, 307, 120-B of IPC r/w. Section 4 of TNPWH Act.

3.The petitioner filed a petition seeking for bail and the Court below, considering the facts and circumstances of the case, granted bail by imposing certain conditions. The Court below had imposed the conditions to the effect that the

petitioner should execute a bail bond for a sum of Rs.10,000/- with two sureties for a likesum.

4.It is the grievance of the petitioner that the Court below is insisting for an immovable property as security from the sureties and the petitioner is not in a position to furnish such a surety. As a result of the same, the petitioner continues to suffer incarceration in spite of granting bail.

5.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent police.

6.Taking into consideration the facts and circumstances of the case, the condition imposed by the Court below shall stand as it is with the only modification that the Court below shall not insist for the immovable property security, as a condition from the sureties.

7. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police.
J-6, Thiruvanmiyur Police Station,
Chennai District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.M.Vettrivel, Advocate in sr.no.49324 (18/06/2019)

Cr1.O.P.No.15151 of 2019

NM(CO)
CS/14/06/2019