

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.21609 of 2019

Parthiban

... Petitioner

Vs.

State rep by,
Inspector of Police,
Pallavaram Police Station,
Chennai.
Cr.No.287 of 2019.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 r/w Section 439(1)(b) of Criminal Procedure Code, to modify the condition imposed by Principal Sessions Judge of Kancheepuram District at Chengalpattu in Crl.M.P.No.3475 of 2019 dated 01.08.2019 that to pay a sum of Rs.50,000/- (Fifty thousand only) to the victim through the respondent and on such payment this petitioner is ordered to be released on bail on his executing a bond for Rs.10,000/- with 2 blood related sureties each for a like sum to the satisfaction of Judicial Magistrate, Tambaram, in Pallavaram Police Station Cr.No.287 of 2019 and instead the petitioners may be directed to furnish sureties worth about Rs.5000/-.

For Petitioner : Mr.S.Santhanam

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

सत्यमेव जयते
O R D E R

This petition has been filed challenging the condition imposed by the Court below while granting bail to the petitioner.

2.The petitioner was arrested and remanded to judicial custody on 30.06.2019 for an alleged offence under Sections 147, 148, 294(b), 506(ii) and 307 of IPC. The petitioner filed a bail petition before the Court below and the Court below after considering the facts and circumstances of the case, granted bail to the petitioner by imposing certain conditions.

3.The petitioner is aggrieved by two conditions. The first condition is that the petitioner was directed to pay a sum of Rs.50,000/-(Rupees Fifty Thousand only) to the victim. The

second condition is that both the sureties was directed to be blood related sureties.

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

5.Taking into consideration the facts and circumstances of the case, the first condition is modified to the effect that the petitioner shall pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the victim through the respondent police. In so far as the sureties are concerned, one surety shall be a blood related surety and the other surety can be a local surety. The other conditions imposed by the Court below shall stand as it is.

6.This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

jas/vs

To

- 1.The Principal Sessions Judge,
Kancheepuram District at Chengalpattu.
- 2.The Judicial Magistrate,
Tambaram.
- 3.-do- Thro' The Chief Judicial Magistrate,
Chennai.
- 4.The Inspector of Police,
Pallavaram Police Station,
Chennai.
- 5.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Santhanam, Advocate, S.R.No.68240

Cr1.O.P.No.21609 of 2019

KK (CO)

RRS (09/08/2019)