

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

CrI.O.P.No.25393 of 2019

Manikandan @ Minnal Mani

...Petitioner

Vs.

State Represented by
Inspector of Police,
Chengalpattu Taluk Police Station,
Kanchipuram District.

...Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition (i) the petitioner/accused shall execute a bond for Rs.1,00,000/- with two native sureties each for the like sum of the satisfaction of this Court. Solvency Certificate from the Thasildar is requested as amount involved is huge orders imposed in CrI.M.P.No.7784 of 2019 dated 12.09.2019 on the file of the learned Judicial Magistrate Court No.II, Chengalpattu.

For Petitioner : Mr.Ilayaraja Kandasamy

For Respondent : Mr.C.Iyyapparaj
Additional Public Prosecutor

सत्यमेव जयते

O R D E R

The petitioner, who was arrayed as an accused, had been granted bail by the learned Judicial Magistrate Court No.II, Chengalpattu on 12.09.2019 in CrI.M.P.No.7784 of 2019, on certain conditions.

2. It is now a settled law that when a Court considers a statutory bail, onerous condition cannot be imposed and the Court has to satisfy itself with the only requirement as to whether the accused persons are prepared to furnish

bail. Useful reference can be made to the Judgement of this Court in 2019 1 LW(Crl.) 387 in the case of Umadevi Vs. The State Rep. by the Inspector of Police, EOW II, Coimbatore. Therefore, the condition imposed by the Court below to deposit Rs.5,00,000/- requires interference and since the petitioner is not in a position to comply with the said condition, they are not able to come out on bail till today.

3. In the result, the condition imposed by the Court below in paragraph 5(i) of the order in Crl.M.P.No.7784 of 2019, directing the petitioner/accused to execute a bond for Rs.1,00,000/- with two native sureties each for the like sum is modified to the effect that the petitioner shall execute a bond for a sum of Rs.1,00,000/- with two sureties for a like sum.

4. All other observations made in the earlier order dated 12.09.2019 in Crl.M.P.No.7784 of 2019 shall remain intact.

5. Accordingly, this Criminal Original Petition stands ordered.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

hvk
To

1. The Judicial Magistrate Court No.II,
Chengalpattu.

2. The Inspector of Police,
Chengalpattu Taluk Police Station,
Kanchipuram District.

3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.Ilayaraja , Advocate SR.No. 80906

Crl.O.P.No.25393 of 2019

A.SK(20/09/2019)