



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Criminal Jurisdiction)

Date : 27/06/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.9077 of 2019

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1. Amalraj,
S/o. Rayappan, Gunappanenthal,
Ilayankudi, Sivagangai District.
2. Denneesh,
S/o. James, Gunappanenthal, Ilayankudi,
Sivagangai District.
3. Fernandos @ Karanfritto,
S/o. Amalraj, Gunappanenthal,
Ilayankudi, Sivagangai District.
4. George,
S/o. Santhiyagu, Gunappanenthal,
Ilayankudi, Sivagangai District.
5. Joseph,
S/o. Mariyadoss, Gunappanenthal,
Ilayankudi, Sivagangai District.
6. Arulanthu Daison,
S/o. Benjamin, Gunappanenthal,
Ilayankudi, Sivagangai District.

... Petitioners/Accused
No.1 to 6

Vs

State Represented by:
The Inspector of Police,
Ilayankudi Police Station, Sivagangai
District, Crime No.158/2019.

... Respondent/Complainant

For Petitioner : M/s.S.Vikram,
Advocate.

For Respondent : M.Anantha Devi,
Govt.Advocate (Crl.Side).

PETITION FOR MODIFICATION Under Sec.439(i) (b) of Cr.P.C.

PRAYER :-

To modify the onerous condition imposed upon the petitioners in
<https://hcservices.ecourts.gov.in/hcservices/>
Cr.M.P.No.12477/2019 dated 17/06/2019 on the file of the learned
District & Sessions Judge, Sivagangai



ORDER : The Court Made the following order :-

This petition has been filed to modify the condition imposed by the learned District & Sessions Judge, Sivagangai in Cr.M.P No.1247 of 2019 dated 17.06.2019.

2. The learned counsel for the petitioner would submit that the petitioners were granted anticipatory bail by the learned District & Sessions Judge, Sivagangai in Cr.M.P No.1247 of 2019 dated 17.06.2019 on condition that each of the petitioners shall deposit a sum of Rs.4000/- for the alleged damage before the learned District Munsif cum Judicial Magistrate, Ilayankudi concerned. He further submitted that the petitioners are poor and hence they are unable to deposit the said amount. Hence he prays to modify the said condition.

3. The learned Government Advocate(Crl.Side) submitted that the petitioners attacked the defacto complainant and caused damage two wheeler of the defacto complainant worth about Rs.25,000/- Hence she opposed to modify the above condition.

4. On perusal of the records, this Court is of the view that since the petitioners had damaged the two wheeler of the defacto complainant, the condition imposed by the session court to deposit a sum of Rs.4,000/- by each of the petitioners is reasonable. Hence there is no reason to interfere with the order passed by the learned District & Sessions Judge, Sivagangai in Cr.M.P No.1247 of 2019 dated 17.06.2019.

5. Accordingly, this petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

TO

1. The District Sessions Judge, Sivagangai.
2. Do-Through The Chief Judicial Magistrate,
Sivagangai District.
3. The Inspector of Police,
Ilayankudi Police Station, Sivagangai
District, Crime No.158/2019.



4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.9077 of 2019

Date : 27/06/2019

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