

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2020

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

Crl.O.P.No. 785 of 2020

1.A.Deva
2.T.Padmanaban@ Appu
3.M.Ramesh
4.K.Siga @ Sigamani
5.M.Nandha@ Nadhagopal

... Petitioners

Vs.

State Rep. by
The Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai,
(Crime No.686 of 2019)

... Respondent

PRAYER: Criminal Original petition has been filed under Sections 482 of the Code of Criminal Procedure, to modify the condition as the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum instead of the petitioners shall execute a bond for a sum of Rs.50,000,00/- (Rupees fifty lakhs) with two sureties each for a like sum. Both the sureties shall be "Government Employee in order dated 07.01.2020 in Crl.M.P.No.5276 of 2019 on the file of Judicial Magistrate, Cheyyar.

For Petitioners : Mr.K.Thenrajan

For Respondent : Mrs. S.Thankira

Government Advocate (Crl. Side)

O R D E R

This Criminal Original petition has been filed seeking modification of the bail condition imposed on 07.01.2020 in Crl.M.P.No.5276 of 2019 by the learned Judicial Magistrate, Cheyyar.

2. The case of the prosecution is that on 28.09.2019 one Sathishkumar was murdered by some unknown persons. On investigation the respondent police arrested the petitioners and remanded to judicial custody on 30.09.2019. Hence, the complaint.

3. The petitioners was granted bail on 07.01.2020 by the learned Judicial Magistrate, Cheyyar in Crl.M.P.No.5276 of 2019 and one of the bail conditions stipulated was that "the petitioner shall execute a bond for a sum of Rs.50,00,000/- (Rupees Fifty lakhs) with two sureties each for a like sum. Both

the sureties shall be "Government Employee".

4. The learned counsel for the petitioners submitted that since the petitioners were under incarceration, they were not able to mobilize such a huge sum to make the sureties, and are still under incarceration for more than 110 days despite the enlargement of the petitioners on bail by the learned Judicial Magistrate, Cheyyar. Hence, he seeks to modify the condition imposed by the Court below.

5. In view of the submission made by the learned counsel for the petitioners, this Court modifies the condition imposed by the learned Judicial Magistrate, Cheyyar, in CrI.M.P.No.5276 of 2019, dated 07.01.2020 to the effect that the petitioners shall execute a bond for a sum of Rs.2,00,000/- (Rupees two lakh only) with two blood related sureties instead of Government Servants, each for a like sum to the satisfaction of the respondent police. The same surety shall not be there for others.

6. With the above modification, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rri/kas

To

1. The Judicial Magistrate, Cheyyar.

2. Do Thro The Chief Judicial Magistrate,
Thiruvannamalai.

3. The Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai,
(Crime No.686 of 2019)

4.The Public Prosecutor,
Madras High Court.

+1cc to Mr.K.Thenrajan, Advocate sr.50241

Cr1.O.P.No.785 of 2020

kk(co)
nr 31/01/2020



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