

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.3098 of 2020

Saravanan

... Petitioner

Vs.

State represented by:

The Inspector of Police,
Magudanchavadi Police Station,
Salem District.
Crime No.106 of 2011

... Respondent

Prayer: Criminal Original petition has been filed under Sections 439(1) (b) of the Code of Criminal Procedure, to modify the first condition that "two sureties execute bond for a sum of Rs.10,000/- each and out of said two sureties one should be blood relative" in the above Crl.M.P.No.2435 of 2019, dated 16.08.2019, on the file of Judicial Magistrate No.2, Sankari.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondent : Mr.S.Thankira

Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to modify the first condition that "two sureties to execute a bond for a sum of Rs.10,000/- each and out of said two sureties one should be blood relative" in the above Crl.M.P.No.2435 of 2019, dated 16.08.2019, on the file of Judicial Magistrate No.2, Sankari

2. The learned counsel for the petitioner would submit that the lower Court, while granting bail by the learned Judicial Magistrate No.2, Sankari, had imposed the condition that the petitioner to execute a bond for a sum of Rs.10,000/- two sureties, each and out of two sureties, one should be a blood relation. Hence, the petitioner has tried to comply the said condition imposed by the trial Court. However, the trial Court had not accepted the blood surety on the reason that no immovable property has been stands in the name of blood surety. Hence, the petitioner has filed this petition to modify the said condition.

3. Heard the learned Government Advocate (Criminal Side) appearing for the respondent police.

4. Considering the facts and circumstances of the case, this Court is inclined to modify the condition imposed by the learned Judicial Magistrate No.2, Sankari, to the effect that the petitioner to execute the two sureties, one must be a blood surety, the blood surety has to produce the Ration Card and Aadhaar Card and execute a bond for a sum of Rs.5,000/- each for a like sum.

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

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

msrm/ssn

To

1.The learned Judicial Magistrate No.2,
Sankari.

2. The Inspector of Police,
Magudanchavadi Police Station,
Salem District.

3. The Public Prosecutor,
Madras High Court.

+1 CC to Mr.R.Marudhachalamurthy, Advocate sr 12291.

सत्यमेव जयते

Cr1.O.P.No.3098 of 2020

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GP (CO)
SP(27/02/2020)