

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.05.2020

CORAM

THE HONOURABLE MR. JUSTICE **M. NIRMAL KUMAR**

Crl.M.P.No.3851 of 2020

in Crl.OP.No.3540 of 2017

Ukresan Nak, M/A 39 years

S/o. Thepraj

No.35, Add Kanamudhi Gramam,

Patnakar Taluk,

Balangir District,

Odisha State

... Petitioner

-Vs-

State: Inspector of Police

Ponneri Police Station,

Thiruvallur District.

(Cr. No. 298 of 2015)

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 482 Cr.P.C. to ***modify*** the condition to the petitioner that two sureties (one shall be related to him blood) as well as the petitioner shall execute a bond for Rs.15,000/-(Rupees Fifteen Thousand only) each for a similar amount to the satisfaction of the learned IV Additional Sessions Judge, Ponneri in Cr1.0.P.No.3540 of 2017 on 24.02.2017 on the file of this Court.

For Petitioner : M/s.M.P.Saravanan

For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

ORDER

The petitioner filed this petition *to modify* the condition imposed by this Court in Crl.O.P.No.3540 of 2017 on 24.02.2017 that the petitioner shall execute a bond for a sum of Rs.15,000/- with two sureties (one shall be related to him blood) each for a similar amount to the satisfaction of the learned IV Additional Sessions Judge, Ponneri

2.The learned counsel for the petitioner submitted that the petitioner was unable to find a relative with means to stand a surety and very difficult. The bail order was granted on 24.02.2017 due to the above condition, the petitioner is unable to execute surety and come out on bail. He further submit that he was unable to find relative sureties and the petitioner had been undergoing sentence without conviction. He further submit that for the past 4 ½ years, he is in prison.

3.The learned Additional Public Prosecutor (Crl.Side) appearing for the State submitted that almost all the witnesses have been examined except the

Scientific Officer and the Investigating Officer. He would further submit that it would be impossible to secure the petitioner once he absconds.

4.Considering the facts and circumstances of the case, the condition already imposed on the petitioner is modified and that the petitioner shall execute a bond for sum of Rs.10,000/- with two sureties and the trial Court not to insist any blood relative surety. The other conditions imposed by this Court shall remain unaltered.

20.05.2020

Internet : Yes/No

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To

1. The Additional District Sessions Judge- IV, Ponneri
2. The : Inspector of Police
Ponneri Police Station,
Thiruvallur District.
- 3 .The Public Prosecutor,
High Court, Madras.

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