

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2020

CORAM:

THE HON'BLE MR.JUSTICE M. NIRMAL KUMAR

CRL.O.P.Nos. 8121 & 8122 of 2020

Selvam ... Petitioner in both Crl.O.Ps.

Vs.

State Represented by:
The Inspector of Police
Poolampatti Police Station,
Salem District.
Crime No.273/2013

... Respondent in Crl.O.P.No.8121/2020

State Represented by:
The Inspector of Police,
Edappadi Police Station,
Salem District.
Crime No.555/2020

... Respondent in Crl.O.P.No.8122/2020

Prayer in Crl.O.P.No.8121/2020: Criminal Original Petition filed under Section 439 Cr.P.C., to modify the condition No.2 imposed in Crl.M.P.No.1791/2019 in C.C.No.273/2013 on the file of the Judicial Magistrate No.I, Sankari, dated 4.07.2019 that “who offer the sureties, one of the surety must be in the blood relative of the petitioner/accused.”

Prayer in Crl.O.P.No.8122/2020: Criminal Original Petition filed under Section 439 Cr.P.C., to modify the first condition in Crl.M.P.No.1999/2019 in

C.C.No.53/2014 on the file of the Judicial Magistrate No.II, Sankari, dated 30.07.2019 that “two sureties execute bond for a sum of Rs.10,000/- each and out of the said two sureties one should be blood relative”.

For Petitioner in
both Crl.O.Ps. : R.Marudhachalamurthy
For Respondents in
both Crl.O.Ps. : Mr.C.Iyyappa Raj
Additional Public Prosecutor

COMMON ORDER

The petitioner in Crl.O.P.No.8121/2020 filed this petition *to modify* the condition imposed by this Court in Crl.M.P.No.1791 of 2019 on the file of the Judicial Magistrate No.I, Sankari, dated 04.07.2019 that “who offer the sureties, one of the surety must be in the blood relative of the petitioner/accused.”

2. The petitioner in Crl.O.P.No.8122/2020 filed this petition *to modify* the condition imposed by this Court in Crl.M.P.No.1999 of 2019 on the file of the Judicial Magistrate No.II, Sankari, dated 30.07.2019 that “two sureties execute bond for a sum of Rs.10,000/- each and out of the said two sureties one should be blood relative.”

3. The learned counsel for the petitioner would submit that the petitioner was granted bail by the Lower Court on 04.07.2019 and he is unable to find his

blood relatives who is capable of executing a bond for Rs.10,000/- and for that reason despite the bail order being granted on 04.07.2019 almost for a year, the petitioner is in confinement.

4. In view of the same, the condition No.2 imposed in Crl.M.P.No.1791/2019 in C.C.No.273/2013 is modified as “who offer the sureties” and the first condition in Crl.M.P.No.1999/2019 in C.C.No.53/2014 is modified as “two sureties execute a bond for Rs.10,000/- each”. Further, in view of the prevailing situation, the petitioner shall execute a personal bond for Rs.10,000/- (Rupees ten thousand only) before the Superintendent of the prison in which he is confined.

5. Accordingly, the petitioner is ordered to be released on bail on he executing his own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) before the Superintendent of the concerned prison, in which the Petitioner has been confined; and the petitioner shall execute two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the concerned Magistrate within a period of 15 days from the date of lifting of lockdown and

commencement of regular functioning of Court below, failing which the bail granted by this Court shall stand dismissed automatically;

6. Accordingly, these petitions are ordered.

16.06.2020

Internet: Yes/No

dna

To

1.The Judicial Magistrate No.I, Sankari,

2. The Judicial Magistrate No.II, Sankari.

3.The Inspector of Police

Poolampatti Police Station,
Salem District.

Crime No.273/2013

4.The Inspector of Police,

Edappadi Police Station,
Salem District.

Crime No.555/2020

4. The Public Prosecutor,

High Court, Madras.

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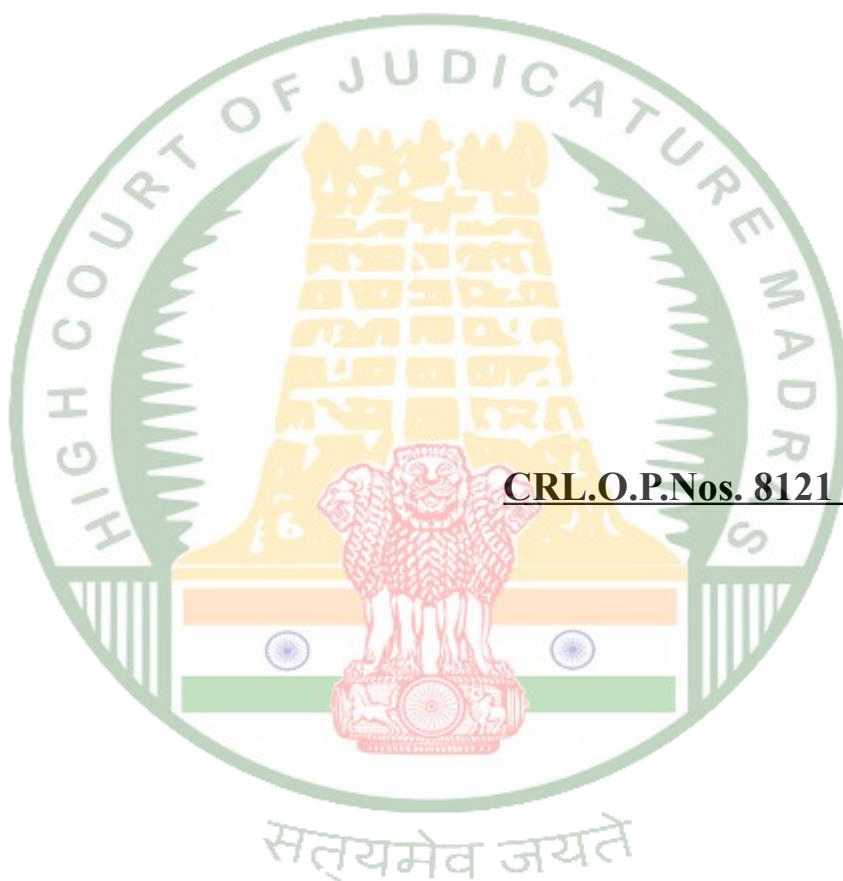
The Superintendent,
Central Prison, Salem.



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M.NIRMAL KUMAR.,J.

dna



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