

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl. M.P. No. 4237 of 2020
in
Crl. O.P. No. 9291 of 2019

Sathya

... Petitioner

-vs-

State Rep by
The Inspector of Police,
W-19, All Women Police Station,
Adayar, Chennai.

... Respondent

PRAYER:- Criminal Original Petition filed under Section 482 Cr.P.C. to modify the order passed by this Court in Crl. O.P. No. 9291/2019 dated 09.04.2019 with a condition that "Accordingly, the petitioners are order to be released on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, for the like sum to the satisfaction of the learned The Sessions Judge, Mahila Court, Chennai." to release the petitioner/accused on own bond in pending investigation in Cr. No. 178/2019 on the file of the respondent herein.

For Petitioner : Mr. R. Jayaprathap

For Respondent : Mr. K. Prabakar
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

This Petition has been filed to modify the condition imposed on the Petitioner in Crl. O.P. No. 9291/2019 dated 09.04.2019 to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, for the like sum to the satisfaction of the learned Sessions Judge, Mahila Court, Chennai.

2.The learned counsel for the Petitioner would submit that this Court had granted bail to him on 09.04.2019 with a condition to execute a bond for a sum of Rs.10,000/- (Rupee Ten Thousand only) with two sureties each, for the like sum to the satisfaction of the learned Sessions Judge, Mahila Court, Chennai. Due to COVID-19 pandemic, the Petitioner was unable to produce sureties and thereby she is still suffering incarceration. He would further submit that if the Petitioner is allowed to be released on her own bond, she will

come out and thereafter, within a time frame fixed by this Court, she is likely to produce sureties.

3. Considering the said submission, the condition imposed as against the Petitioner is modified as follows:-

(a) the Petitioner is ordered to be released on bail on executing her 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 thereafter on her release.

(b) the Petitioner shall execute two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, before the learned Sessions Judge, Mahila Court, Chennai within 15 days from the date of lifting of the lockdown and the commencement of the Court's normal functioning, failing which the bail granted by this Court shall stand dismissed automatically;

(c) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(d) the Petitioner shall report before the Respondent Police every Monday at 10.30 a.m. until further orders;

(e) the Petitioner shall not commit any offences of similar nature;

(f) the Petitioner shall not abscond either during investigation or trial;

(g) the Petitioner shall not tamper with evidence or witness either during investigation or trial;

(h) the Petitioner shall not venture out of the house;

(i) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the Petitioner in accordance with law as if the conditions have been imposed and the Petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

(j) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

24/06/2020

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SESSIONS JUDGE,
MAHILA COURT, CHENNAI

2 THE ADDITIONAL PUBLIC
PROSECUTOR, MADRAS HIGH COURT,
CHENNAI - 600 104.

3 THE INSPECTOR OF POLICE,
W-19, ALL WOMEN POLICE STATION,
ADAYAR, CHENNAI

4 THE SUPERINTENDENT,
CENTRAL PRISON, WOMEN CELL,
PUZHAI, CHENNAI

C.C. to Advocate on payment of necessary charges

Order

in

CRL MP.4237/2020

in

CRL OP.9291/2019

Date :24/06/2020

From 7.2.2001 the Registry is issuing certified copies of the BAIL/Anti.BAIL Orders in this format

RVR 26/06/2020