

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :13.08.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.12153 of 2020

1.Durai @ Duraipandi
S/o.Perumal
2.Chinnathambi
S/o.Raja
3.Sethu @ Sethupathi
S/o.Raja
4.Vijayakumar
S/o.Mariyappan
5.Alexpandiyar
S/o.Durai
6.Baskar
S/o.Mariyappan

... Petitioners

Vs.

State Represented By
The Sub-Inspector of Police,
Omalur Police Station
Salem District.

(Crime No.889 of 2020)

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 439(1)(b) of Criminal Procedure Code praying to modify the anticipatory bail condition imposed by the learned Principal District Sessions Judge, Salem in Crl.M.P.No.1730/2020 in Crime No.889/2020 on the file of the respondent police dated 04.06.2020.

For Petitioners : Mr.D.Ashokkumar
For Respondent : Mr.K.Prabakar
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The criminal original petition has been filed to modify the condition imposed by the learned Principal District Sessions Judge, Salem in Crl.M.P.No.1730/2020 in Crime No.889/2020 on the file of the respondent police dated 04.06.2020 that the petitioners to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the Tamil Nadu Chief Minister's Public Relief Fund (Non-refundable) each, and on such deposit, the petitioners were ordered to be released on interim anticipatory bail till 04.07.2020 on their each executing a own bond for a sum of Rs.10,000/- to the satisfaction of the respondent police.

2. The learned Counsel for the petitioners submitted that the case registered as against the petitioners by the respondent police for the offences under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC in Crime No.889 of 2020. He further submitted that petitioners were granted interim-bail by the learned Principal District Sessions Judge, Salem, in Crl.M.P.No.1730/2020 by order dated 04.06.2020 on condition that petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the Tamil Nadu Chief Minister's Public Relief Fund (Non-refundable) each. He would further submit that the petitioners are poor and doing agricultural work and that they could not deposit such

amount as ordered by the Court below. He further submitted that this case again came up for hearing on 04.07.2020 and it was posted to 31.07.2020. Hence, he seeks for modification of the said conditions.

3. The learned Additional Public Prosecutor concurred with the statement of the learned Counsel for the petitioners that the petitioners were granted interim-bail by the learned Principal District Sessions Judge, Salem in Crl.M.P.No.1730 of 2020 dated 04.06.2020.

4. Taking in to consideration facts and the submissions made by the learned Counsel for the petitioners, the condition imposed as against the petitioners is modified to the effect that the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand Only) each to the Chief Minister's Public Relief Fund (Non-refundable). Other conditions remain unaltered

5. With the above directions, this Criminal Original Petition is modified.

13.08.2020

mpa

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To

1. The learned Principal District Sessions Judge,
Salem
2. The Sub-Inspector of Police,
Omalur Police Station
Salem District.
3. The Public Prosecutor
High Court of Madras
Chennai.



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A.D.JAGADISH CHANDIRA, J.
mpa



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