

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.12177 of 2020

Mani@Mohanraj

... Petitioner

Vs.

State Represented By
The Inspector of Police,
Nangavalli Police Station
Salem District.
(Crime No.141 of 2019)
Respondent

...

PRAYER: Criminal Miscellaneous Petition is filed under Section 439(1)(b) of Criminal Procedure Code praying to modify the condition imposed in C.M.P.No.3809 of 2019 by the learned Principal Sessions Judge, Salem order dated 28.11.2019 insofar as to furnish two blood related sureties.

For Petitioner

: Mr.M.Devaraj

For Respondent

: Mr.K.Prabakar

Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

This Criminal Original Petition has been filed to modify the condition imposed by the learned Principal Sessions Judge Salem in C.M.P.No.3809 of 2019 dated 28.11.2019 in Crime No.141 of 2019, on the file of the respondent police that the petitioner shall execute a bond for a sum of Rs.10,000/- with two blood related sureties to the satisfaction of the learned Judicial Magistrate-I, Mettur.

2. The learned Counsel for the petitioner submitted that the case was registered as against the petitioner by the respondent police for the offence under Section 302 of IPC dated 23.07.2019. He further submitted that petitioner was granted bail by the learned Principal Sessions Judge, Salem in C.M.P.No.3809 of 2019 by order dated 28.11.2019 on condition that petitioner shall execute a bond for a sum of Rs.10,000/- with two blood related sureties to the satisfaction of the learned Judicial Magistrate-I, Mettur. He would further submit that the petitioner's mother is the only blood relative and other than his mother, the petitioner has no blood relative due to which, the petitioner was unable to furnish sureties before the Judicial Magistrate-I, Mettur and the petitioner still in judicial custody though he has been granted bail as early as on 28.11.2019. Hence, he filed the modification petition.

3. The learned Additional Public Prosecutor concurred with the statement of the learned Counsel for the petitioner that the petitioner was arrested on 23.07.2019 and he has been granted bail by the learned Principal Sessions Judge Salem in C.M.P.No.3809 of 2019 dated 28.11.2019.

4. Taking in to consideration facts and the submissions made by the learned Counsel for the petitioner, the condition imposed as against the petitioner is modified to the effect that the petitioner shall execute one blood related surety, who is his mother and the another surety shall be some other person.

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

13.08.2020

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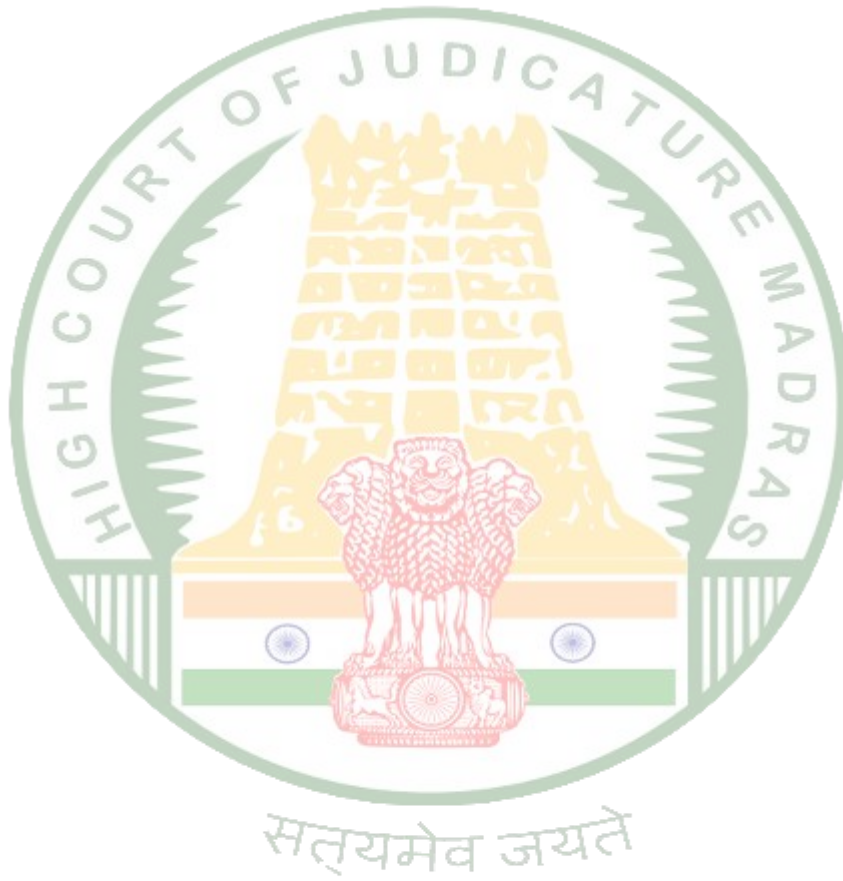
Note: Issue order copy on 17.08.2020

To

1. The learned Principal Sessions Judge,
Salem

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

3.The Public Prosecutor
High Court of Madras
Chennai.

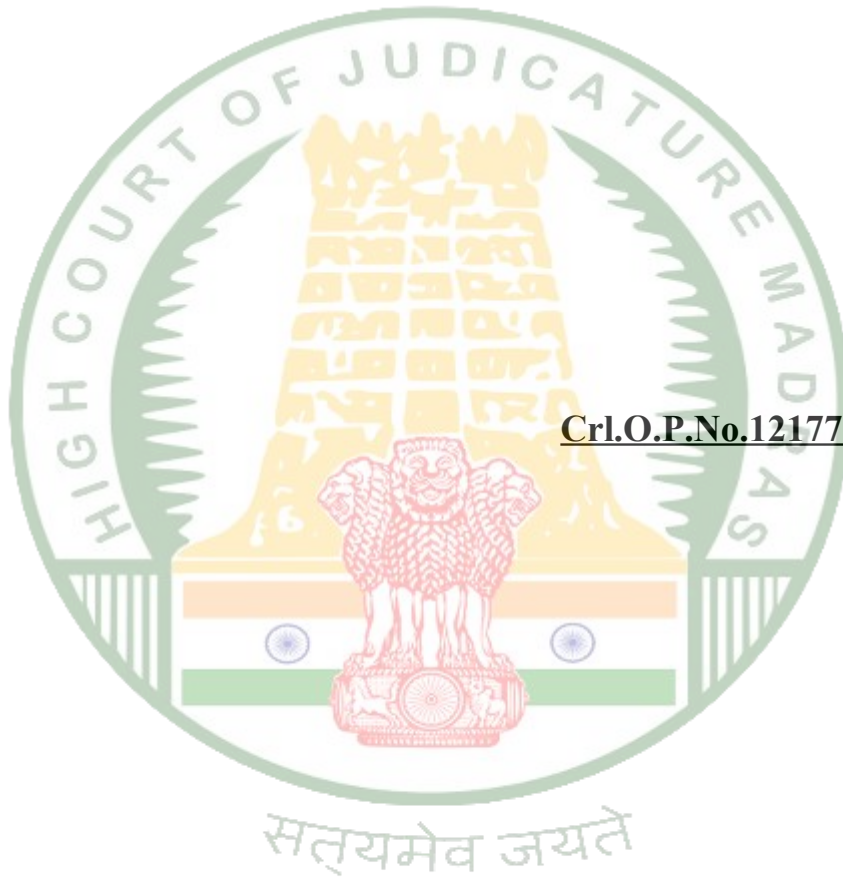


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A.D.JAGADISH CHANDIRA.J.,

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