

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.08.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.12136 of 2020

Arockiya John Bosco

S/o.Selvaraj

... Petitioner/Accused

Vs.

The State represented by,

The Inspector of Police,

Sankar Nagar Police Station,

Chennai.

(Crime No.166 of 2019)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition imposed on the petitioner in CrI.M.P.No.6140 of 2019 dated 03.12.2019 by the learned Judicial Magistrate, Tambaram in Crime No.166 of 2019 on the file of the respondent police.

For Petitioner : Mr.D.Gopi Krishnan

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 by the learned Judicial Magistrate, Tambaram, in Crl.M.P.No.6140 of 2019 dated 03.12.2019.

2.The learned counsel appearing for the petitioner would submit that the petitioner was arrested on 11.11.2019 in Crime No.166 of 2019. He would submit that the petitioner was granted bail by the learned Judicial Magistrate, Tambaram, in Crl.M.P.No.6140 of 2019, dated 03.12.2019, on condition that the petitioner should execute a bond for a sum of Rs.50,000/- with two sureties each and they must be blood relative and for a like sum of the satisfaction of the learned Judicial Magistrate, Tambaram, and the petitioner shall appear before the respondent police daily morning at 10.00 a.m., and 5.00 p.m., until further orders. He further submitted that the petitioner was detained under Act 14 of 1982, therefore, the parents of the petitioner had refused to come forward to stand as sureties. Due to which the petitioner was unable to comply the condition and produce the blood sureties for the past 8 months. Hence, he prays to modify the said condition imposed in Crl.M.P.No.6139 of 2019 dated 03.12.2019 by the learned Judicial Magistrate, Tambaram.

3. Taking into consideration the pandemic situation and that still the petitioner is in jail, the condition imposed by the learned Judicial Magistrate, Tambaram, in Crl.M.P.No.6140 of 2019 dated 03.12.2019 is modified to the effect that “the petitioner is ordered to be released on bail on executing his bond for a sum of Rs.10,000/- (Rupees Ten Thousand)” before the Superintendent of the concerned prison, in which the petitioner has been confined and thereafter, on his release;

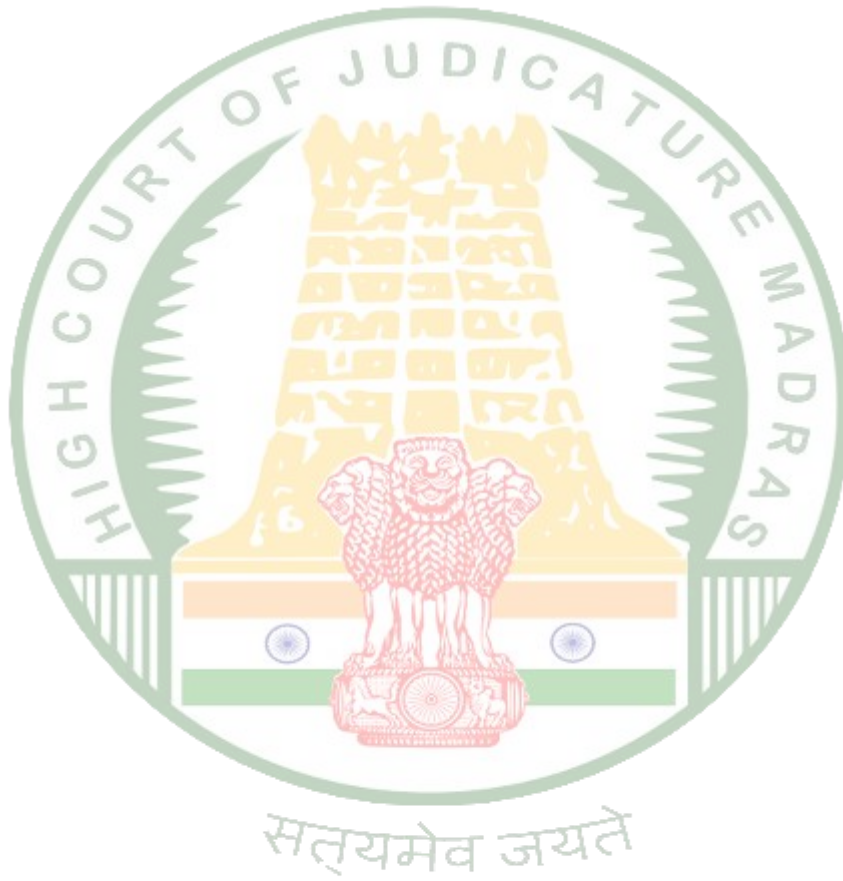
4. The petitioner shall within two weeks from the date of lifting of lockdown or the commencement of the Court's normal functioning, whichever is earlier, surrender before the learned Judicial Magistrate, Tambaram, and execute bonds for Rs.10,000/- (Rupees Ten Thousand Only) with **two sureties out of which one should be wife and the other surety shall be some other person**, failing which the bail granted to the petitioner shall stand dismissed automatically. The other conditions shall remain intact.

6. Accordingly, this petition is ordered.

13.08.2020

Internet : Yes/No

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To

1.The Judicial Magistrate, Tambaram.

2.The Inspector of Police,
Sankar Nagar Police Station,
Chennai.

3.The Superintendent, Central Prison,
Puzhal, Chennai.

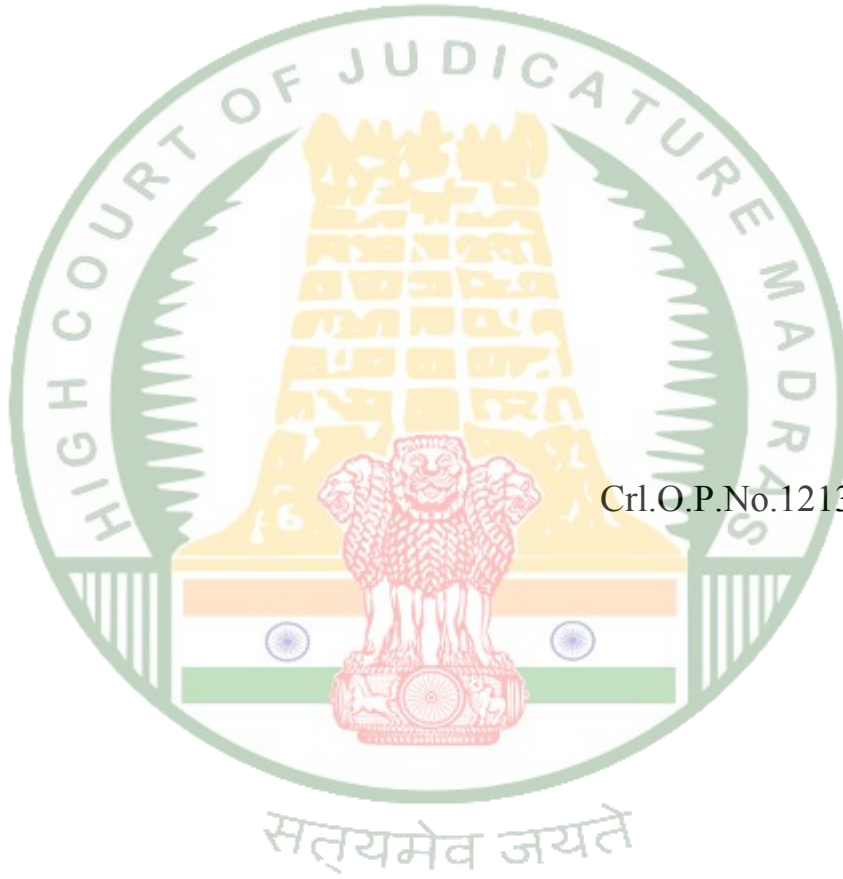
4.The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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