



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.05.2020

WEB COPY

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5283 of 2020

P.Saravanan
S/o.Periyandavar
5/139, 4th Street, Kayamozhi
Tiruchendur
Thoothukudi District

... Petitioner/Accused

Vs

The Inspector of Police,
All Women Police Station
Tiruchendur,
Thoothukudi District
(Crime No. 03 of 2020).

... Respondent/Complainant

For Petitioner : M/s. V.Angusamy,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

PETITION FOR MODIFICATION Under Sec.439(1)(B) OF of Cr.P.C.

PRAYER :-

To modify condition insofar production of two sureties made in Cr.M.P.No. 292 of 2020 dated 16.03.2020 by the Principal District and Sessions Judge(Special Court for POSCO Act Cases) Thoothukudi and to release the petitioner on own bond.



ORDER : The Court made the following order :-

The petitioner was arrested on 29.01.2020 by the respondent police on the complaint given against him alleging commission of offence under Section 7,8 and 9 of the POSCO Act.

2. He moved bail petition before the learned Principal District and Sessions Judge(Special Court for POCSO Act Cases) in Thoothukudi in Cr.M.P.No.292 of 2020. The learned Sessions Judge granted him bail on 16.03.2020 with certain conditions. One of the condition was to execute two sureties each to the likesum of Rs.10,000/- to the satisfaction of the said court. Due to the lockdown, in view of the covid-19, the petitioner is unable to get solvency certificate and as a consequence could not arrange sureties as ordered by the Sessions Court while granting bail. Hence the petitioner is before this Court seeking modification of the said condition.

3. The learned Additional Public Prosecutor suggests that instead of furnishing sureties if the petitioner deposits Rs.10,000/- in the crime number account before the learned Judicial Magistrate, Tiruchendur, it will be suffice to ensure his co-operation for investigation and trial.

4. Considering the rival submissions the order passed by the learned Principal District and Sessions Judge(Special Court for POCSO Act Cases) in Thoothukudi in Cr.M.P.No.292 of 2020 is modified to the limited extent. Instead of executing a bond by two sureties, the petitioner shall deposit Rs.10,000/- in the Crime number account before the learned Judicial Magistrate, Tiruchendur and on production of the receipt, the prison authorities shall release the petitioner on obtaining own bond from the prisoner for Rs.10,000/-. Other conditions imposed by the learned Principal District and Sessions Judge(Special Court for POCSO Act Cases) in Thoothukudi in Cr.M.P.No.292 of 2020 stands remain confirmed.

Sd/-

Assistant Registrar(CRL SIDE)

/True Copy/

Sub Assistant Registrar(CS II)
Madurai Bench of Madras High Court,
Madurai.

AAV



To

1.The Principal District and Sessions Judge
(Special Court for POCSO Act Cases) Thoothukudi

2.The Judicial Magistrate,
Tiruchendur

3.The Inspector of Police
All Women Police Station,
Tiruchendur,
Thoothukudi District.

4.The Officer In Charge,
District Prison,
Perurani, Thoothukudi.

5.The Additional Public Prosecutor
Madurai Bench of Madras High Court.

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ORDER
IN

CRL OP(MD) No.5283 of 2020
Date : 04.05.2020