



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated : 20.08.2020

WEB COPY

PRESENT

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P. (MD)No.8709 of 2020

1.Ayyanar
2.Kaleeswaran : Petitioners

Vs.

The State rep. by
The Inspector of Police,
C.S.C.I.D,
Virudhunagar
Crime No.98 of 2020. : Respondent

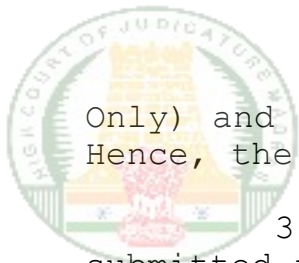
PRAYER :- Petition is filed under Section 439(1)(b) r/w Section 482 of the Code of Criminal Procedure praying to modify the onerous condition of the bail order dated 07.08.2020 imposed upon the petitioners by the Judicial Magistrate No.1, Virudhunagar in Cr.M.P.No.1904 of 2020.

For Petitioners : Mr.T.Lenin Kumar
For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

ORDER

The present petition has been filed to modify the onerous condition imposed by the learned Judicial Magistrate No.1, Virudhunagar, vide order dated 07.08.2020 made in Cr.M.P.No.1904 of 2020.

2. The petitioners are Accused Nos.1 and 2 in Crime No.98 of 2020 for the alleged offences punishable under Clause 6(4) TNCSC (RDCS) order 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955 and they were arrested and remanded to judicial custody on 31.07.2020 and hence, seeking bail, they filed an application in Cr.M.P.No.1904 of 2020 before the learned Judicial Magistrate No.I, Virudhunagar. The Court below has granted bail to the petitioners with conditions to execute two sureties (for each petitioners/Accused) with one blood surety who should produce a property's document for the value of Rs.2,00,000/- (Rupees Two Lakhs



Only) and another one surety is a Government staff to be furnished. Hence, the present petition has been filed seeking modification.

3.The learned counsel appearing for the petitioners submitted that the petitioners are hailing from poor family and they do not have any nexus with Government servants and to produce the property's document for the value of Rs.2,00,000/-. Since the petitioners are poor, they are not in a position to deposit the amount, as directed by the Court below and hence, they seek for modification of the said condition.

4. Heard the learned Government Advocate (Criminal side) appearing for the respondent police also.

5. Considering the facts and circumstances of the case and also considering the gravity of offence, this Court is inclined to modify the condition. Accordingly, the condition stands modified to the effect that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties and they need not produce any blood surety and Government Staff. The other conditions imposed by the learned Judicial Magistrate No.1, Virudhunagar, vide order dated 07.08.2020, stand unaltered.

6. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The learned Judicial Magistrate,
Virudhunagar.

2.The Inspector of Police,
C.S.C.I.D,
Virudhunagar.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

WEB COPY

Order made in
CRL.O.P. (MD) . No.8709 of 2020
Dated : 20.08.2020

PM(CO)
TR(25.08.2020) 3P 4C