

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 4239 OF 2021

Thavamani w/o.Thambi Devandra

..Petitioner

Versus

The State of Maharashtra

..Respondent

Mr. Rupesh Jaiswal for Petitioner.

Mr. J. P. Yagnik, APP for State/Respondent.

**CORAM : NITIN JAMDAR AND
SARANG V. KOTWAL, JJ.**

DATE : 4 DECEMBER 2021

P.C. :

. Heard the learned counsel for the parties. Taken up for disposal.

2. The Petitioner has challenged the condition No.5 of the order dated 7 June 2021 imposing condition of production of surety of one Government servant to the tune of Rs.15,000/-, while granting Petitioner the Emergency (Covid-19) Parole. The Petitioner contends that, such a condition cannot be imposed.

3. The learned APP has fairly accepted that the legal position as laid down by this Court is that, such a condition is not

warranted in law and the Courts have substituted the surety of Government servant with the surety of a friend or relative of the same amount.

4. In the light thereof, condition No.5 in the order dated 7 June 2021 is modified to the extent of furnishing surety of Government servant to be replaced by friend or relative of the Petitioner, and additional to the surety of a relative and friend already provided for. Rest of the conditions in the order dated 7 June 2021 remains same.

5. The Writ Petition is accordingly disposed of.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)