

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2021

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THE HONOURABLE **MR.JUSTICE V.BHARATHIDASAN**

Crl.O.P.No.266 of 2021

Purushothaman
S/o.Selvaraj @ Tamilselvan

.. Petitioner

Vs.

The State Represented by
Inspector of Police,
Avinashipalayam Police Station
Tiruppur
Crime No.989 of 2020)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Sections 439 (1) (b) of the Code of Criminal Procedure, to modify the bail condition that the petitioner shall execute a bond for a sum of Rs.50,000/- with two sureties each for a like sum imposed in Crl.M.P No.1139 of 2020 dated 24.09.2020 ordered by the Judicial Magistrate Court, Palladam, Tiruppur District.

For Petitioner : Mr.P.Pugalenth

For Respondent : Mr.S.Karthikeyan

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for modification of the condition imposed in CrI.M.P No.1139 of 2020 dated 24.09.2020 by the Judicial Magistrate Court, Palladam, Tiruppur District.

2. The petitioner is the sole accused. He has been implicated in this case for the punishable offence under Section 392 @ 394 and 414 of IPC in Crime No.989 of 2020. The Court below granted bail to the petitioner by an order dated 24.09.2020 with condition that the petitioner shall execute a bond for a sum of Rs.50,000/- with two sureties each for a like sum. To modify the aforesaid condition, the present petition has been filed.

3.The learned counsel for the petitioner submitted that the petitioner is a poor person and he is not in a position to execute the bond for a sum of Rs.50,000/- since he is not having any immovable property and hence, he prays to reduce the surety amount.

4. The learned Additional Public Prosecutor would submit that the petitioner is an habitual offender and several cases are pending against him.

He would further submit that in the event of absconding, no action can be taken against him.

5. Considering the fact that the petitioner is an habitual offender and he has committed the offence of dacoity, this Court is inclined to modify the condition imposed in CrI.M.P No.1139 of 2020 dated 24.09.2020 by the Judicial Magistrate, Palladam, Tiruppur District and the petitioner is directed to execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) along with two sureties instead of executing a bond for a sum of Rs.50,000/- ordered by the Court below. The other condition imposed by the Court below shall stand unaltered.

6. This Criminal Original Petition is disposed of, with the above modification.

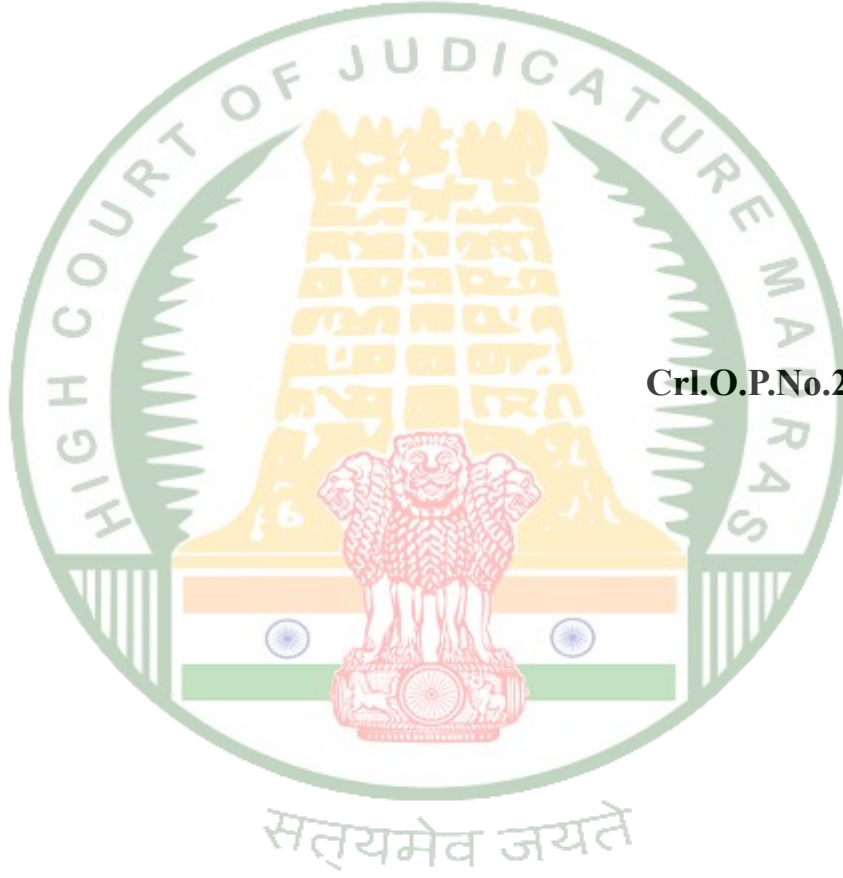
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To

1. The Judicial Magistrate
Palladam, Tiruppur District.
2. Inspector of Police,
Avinashipalayam Police Station
Tiruppur
3. The Public Prosecutor,
Madras High Court.

V.BHARATHIDASAN,J
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