

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2021

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

Crl.O.P.No.1831 of 2021

1.Eliaskarmakar, Son of Budhukarmakar
2.Sunilkumar, Son of Budhukarmakar .. Petitioners

Vs.

The State Represented by
Inspector of Police,
Uthiyur Police Station,
Salem District.
(Crime No.750 of 2020) ... Respondent

PRAYER: Criminal Original Petition has been filed under Sections 439 (1) (b) of the Code of Criminal Procedure, to modify the condition imposed upon these petitioners are ordered to be released on bail on either executing a bond for a sum of Rs.15,000/- along with two sureties each for luke sum in which one surety shall be in a blood relationship. Since the petitioners are hailing from the State of Assia, the sureties shall produce solvency certificate which is issued by not below the rank of Tahsildar in E.Crl.M.P.No.21/2021 connection with Crl.M.P.No.1503/2020 dated 04.12.2020 on the file of the learned Judicial magistrate, Kankeyam, Tiruppur District.

For Petitioners : Mr.P.Kalimuthu

For Respondent : Mr.S.Karthikeyan

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for modification of the condition imposed by the Court below.

2. The petitioners have been implicated in this case for the offence under Sections 294(b), 307 IPC. Considering the period of languishing by the petitioners, the court below granted statutory bail to the petitioners imposed conditions that the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.15,000/- along with two sureties each for like sum in which one surety shall be in blood relationship. Since the petitioners are hailing from the State of Assam, the sureties shall produce solvency certificate which is issued by not below the rank of Tahsildhar. To modify the aforesaid condition, the present petition has been filed.

3. The learned counsel for the petitioners submitted that the

petitioners' friend having permanent address and having Aadhar card proof within limit of the respondent police and the petitioners may permit to execute a bond for a sum of Rs.15000/- along with two sureties instead of two sureties each for like sum in which one surety shall be in a blood surety. Hence, he prays to modify the condition to the effect that instead of blood surety, the petitioners shall furnish local sureties instead of blood surety as ordered by the Court below.

4. Heard the learned Additional public prosecutor appearing for the respondent police.

5. Considering the facts and circumstances of the case, the condition imposed by the Court below is modified to the effect that the petitioners shall execute a bond for a sum of Rs.15,000/- along with two local sureties each instead of blood surety. The remaining conditions imposed by the court below shall stand unaltered.

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

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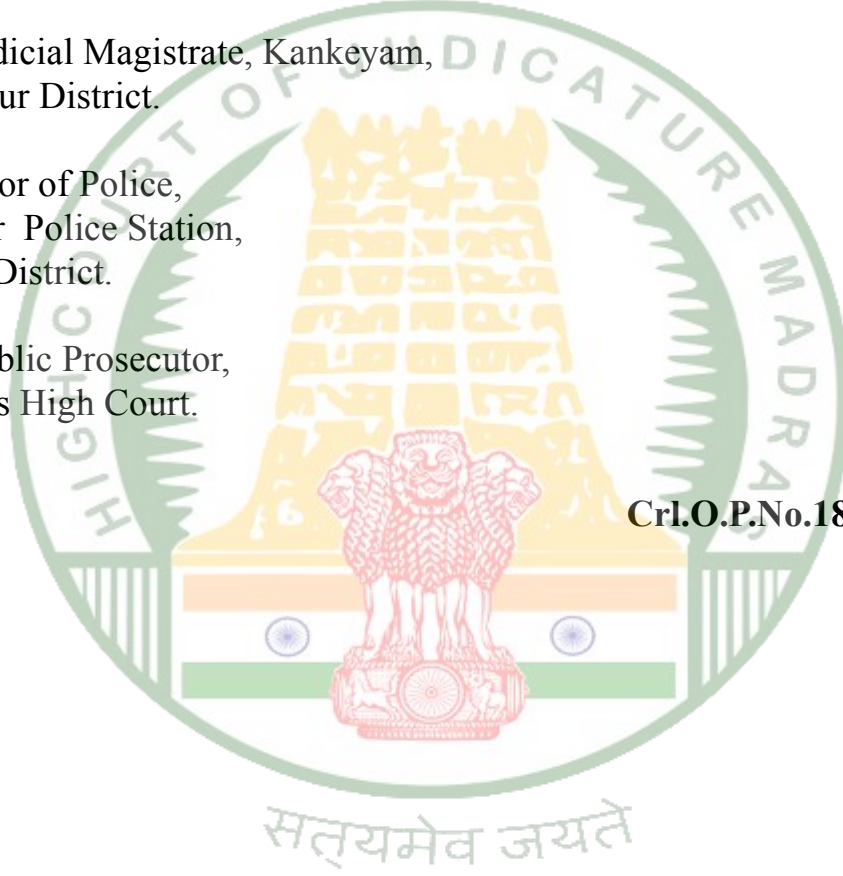
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V.BHARATHIDASAN,J

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To

- 1.The Judicial Magistrate, Kankeyam,
Tiruppur District.
- 2.Inspector of Police,
Uthiyur Police Station,
Salem District.
- 3.The Public Prosecutor,
Madras High Court.



Crl.O.P.No.1831 of 2021

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