

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.3368 of 2021

J.Tamil Selvan

..Petitioner/Accused

Vs.

The State Represented by
Inspector of Police,
Town Police Station
Erode District
Crime No.461 of 2017

..Respondent/Complainant

PRAYER: Criminal Original petitions have been filed under Sections 439 (1) (b) of the Code of Criminal Procedure, to modify the condition passed by the Court of Sessions, Magalir Neethi Mandram, (Fast Track Mahila Court) Erode in Crl.M.P No.196/2020 on 26.08.2020 "executing a bond for Rs.20,000/- and furnishing two sureties with solvency certificates executing bond for like sum each and on further condition that he should appear and sign before the respondent police (Erode Town Police Station) daily twice at 10.00 a.m and 5.45 p.m until further orders.

For Petitioner : M/s.J.N.Naresh Kumar
For Respondent : Mr.T.Shanmugarajeswaran
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking for modification of the condition imposed by the Court of Sessions, Magalir Neethi Mandram, (Fast Track Mahila Court) Erode in Crl.M.P No.196/2020 on 26.08.2020.

2. Initially, the petitioner was arrested and released on bail by the Court below and after committed the matter to the Court of Sessions, Magalir Neethi Mandram, the petitioner did not appear before the trial Court on 28.02.2019 and NBW was issued against him. Therefore, he filed a petition for bail before the Court below. The Court below granted bail to the petitioner by an order dated 26.08.2020 with condition that "the petitioner is ordered to be released on bail on his executing a bond for Rs.20,000/- and furnishing two sureties with solvency

certificates executing bond for a like sum each". To modify the aforesaid condition, the present petition has been filed.

3. When the Court below had gone into the factual details and granted bail to the petitioner with certain conditions, this Court in exercise of its power under Section 439 of Cr.P.C is not inclined to entertain this petition for modification.

4. In view of the detailed order having been passed by the Court below, the petitioner is granted liberty to approach the Court below for the aforesaid modification in its order dated 26.08.2020.

5. This Criminal Original Petition is dismissed with the above observation.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

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To

1. The Court of Sessions, Magalir Neethi Mandram,
(Fast Track Mahila Court) Erode
2. Inspector of Police,
Town Police Station
Erode District
3. The Public Prosecutor,
Madras High Court.

सत्यमेव जयते

Cr1.O.P.No.3368 of 2021

CP(CO)
SP(18/05/2021)

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