

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P. No.7705 of 2021

Kannan@Minna1

... Petitioner

Versus

State represented by
The Deputy Superintendent of Police,
'Q' Branch CID,
Dharmapuri Range,
Dharmapuri District.
(Crime No.1 of 2017)

... Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 09.03.2021 passed by the Principal Sessions Judge, Dharmapuri and accept the surety of Aravindan, son of Sankar and secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.M.Mohamad Riyaz,
Additional Public Prosecutor

ORDER

This Court by an order dated 27.04.2019 in Crl.OP.No.10187 of 2019 granted bail to the petitioner subject to certain conditions. One of the conditions is that the petitioner has to execute a bond for a sum of Rs.10,000/- along with two sureties. out of which, one surety must be a blood relative for a like sum to the satisfaction Court viz., the learned Principal Sessions Court, Dharmapuri.

2.The learned counsel for the petitioner submits that as per the order passed by this Court, the petitioner produced surety of a blood relative viz., Aravindan, who is the brother of the petitioner, along with Fixed Deposit receipt for a sum of Rs.15,000/-, before the Lower Court on 09.03.2021. The Lower Court had not accepted and returned the same, for the reason that as per the order of this Court, there is no provision to receive Fixed Deposit, and the deposit of fixed deposit receipts are not permitted.

3.Having considered the argument of the counsel for the petitioner and on perusal of the records, this Court directs the Lower Court to accept the Fixed Deposit given by the blood relative of the petitioner and other sureties, if it is otherwise in order. This Court also directs Aravindan to file an affidavit disclosing his correct address of residence along with whatever documents available with him, in that affidavit before the Lower Court.

4.With the above directions, the Criminal Original Petition is allowed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

klt

To

1.The Principal Sssions Judge, Dharmapuri.

2.The Deputy Superintendent of Police,
'Q' Branch CID,
Dharmapuri Range,
Dharmapuri District.

3.The Public Prosecutor,
High Court, Madras.

+ 1cc to Nr.R.Sankarasubbu, Advocate SR.25109

CRL.O.P.No.7705 of 2021

Eu 8.6.2021

सत्यमेव जयते

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