

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.8003 of 2021

1.Mondi Sithan @ Poosari Sithan @ Sithan
2.Sithalingam .. Petitioners/Accused A1 to A2

Vs.

The State Represented by
The Inspector of Police,
Kadambur Police Station
(Crime No.212 of 2020) ... Respondent/Complainant

PRAYER: Criminal Original petition has been filed under Sections 439 (1) & (b) of the Code of Criminal Procedure, to modify the condition imposed by the learned Principal District and Sessions Judge, Erode in Crl.M.P No.24 of 2021 dated 27.01.2021 with respect to condition "that one surety shall be the solvent surety".

For Petitioners : M/s.G.K.Associates

For Respondent : Ms.Kritika Kamal.P
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 Principal District and Sessions Judge, Erode in Crl.M.P No.24 of 2021 dated 27.01.2021.

2. The learned counsel for the petitioners would submit that the petitioners were granted bail by the learned Principal District and Sessions Judge, Erode in Crl.M.P No.24 of 2021 for the offences under Sections 120(b), 364, 147, 148 and 302 of IPC and Section 3(2)(va) of SC/ST (POA) Act 2015, with a condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, out of which, one surety shall be the blood surety and the other shall be the solvent surety. He would further submit that the petitioners are not in a position to get a solvency certificate since no property was in their names. Hence, the present

application for modification has been filed before this Court.

3. Heard the learned Government Advocate (Crl. Side) appearing for the respondent police.

4. Considering the facts and circumstances of the case that the petitioners are not able to get a solvency certificate since no property is in their names, the condition imposed by the Court below in Crl.M.P No.24 of 2021 dated 27.01.2021 is modified to the effect that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties out of which, one surety shall be the blood surety and they have to produce a copy of the Aadhar Card. The other conditions imposed by the Court below remains intact.

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

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

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To

1. The Principal District and Sessions Judge
Erode
2. The Inspector of Police
Kadambur Police Staton
3. The Public Prosecutor,
Madras High Court.

+1cc to M/s.G.K.Associates, Advocate SR.No.5487

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SSN(CO)
GMY(08/07/2021)