



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.10891 of 2021

Manikandan @ Kunjumani
S/o.Pandi

... Petitioner

Vs.

The Inspector of Police,
Dharapuram Police Station
(Crime No.60 of 2020)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 (1) (b) of Cr.P.C prayed to set aside modify the condition order dated 20.04.2021 passed by the Principal District Court, Thirupur in Crl.MP.No.661 of 2021 and modify the executing a bond for a sum of Rs.10,000/- along with two sureties each for Rs.10,000/- along with two sureties each for a like sum and one surety shall be a blood surety, the sureties shall produce the solvency certificate obtained from not below the rank of Thasildhar in Cr.MP..No.899 of 2020 dated 12.05.2020 on the file of the Judicial Magistrate, Dharapuram.

For Petitioner : Mr.V.Karnan

For Respondent : Mr.C.E.Pratap,
Government Advocate (Crl.Side)

ORDER

(This case has been heard through video conference)

This petition has been filed under Section 439(1) (b) of Cr.P.C to set aside the order dated 20.04.2021 passed by the Principal District Court, Thirupur in Crl.MP.No.661 of 2021 and modify the executing a bond for a sum of Rs.10,000/- along with two sureties each for Rs.10,000/- along with two sureties each for a like sum and one surety shall be a blood surety, the sureties shall produce the solvency certificate obtained from not below the rank of Thasildhar in Cr.MP..No.899 of 2020 dated 12.05.2020 on the file of the Judicial Magistrate, Dharapuram.

2. The learned counsel for the petitioner has submitted that the condition imposed for protection of one blood surety and to



produce solvency certificates issued by not below the rank of Thasildhar has to be modified and Aadharcard and ration card sureties may be ordered.

3. Per contra, the learned Government Advocate (Crl.Side) has submitted that the petitioner is a habitual offender and he had 15 previous cases to his credit. Due to which, the Court below has directed the sureties to produce solvency certificates issued by any gazetted officer not below the rank of Thasildhar. Hence the said condition imposed by the Court below is just and reasonable and no interference is required. and prays to dismiss the petition.

4. Recording the aforesaid submissions made by the learned Government Advocate (Crl.Side) and taking into consideration of the fact that the petitioner has 15 previous cases to his credit, this Court is of the opinion that no interference is required in the order passed by the Court below. Accordingly, this Criminal Original petition is dismissed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Vv

To

1. The Principal District Court,
Tiruppur.
2. The Judicial Magistrate,
Dharapuram.
3. The Inspector of Police,
Dharapuram Police Station
4. The Public Prosecutor,
High Court of Madras,
Chennai.

Crl.O.P.No.10891 of 2021

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srg 11/08/2021