

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07..06..2021

CORAM :

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

Crl.M.P.No.6116 of 2021

in Crl.O.P.No.5121 of 2021

Muruganantham

... Petitioner

-versus-

The State
Rep. by Inspector of Police,
Arachalur Police Station
Erode District.
[Crime No.54 of 2021]

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 482 of Criminal Procedure Code to modify the order of this court dated 22.03.2021 made in Crl.O.P.No.5121 of 2021 directing the petitioner to execute own bond before the Superintendent, Sub Jail, Gobichettipalayam, Erode District instead of executing two sureties each for a like sum to the satisfaction of the Judicial Magistrate-I, Coimbatore.

For Petitioner : Mr.A.P.Sathyamoorthy

For Respondent : Mr.R.Muniyapparaj,
Government Advocate (Criminal Side)

ORDER

(The case has been heard through video conference)

This miscellaneous petition has been filed seeking to modify the condition imposed by this court by order dated 22.03.2021 in Crl.O.P.No.5121 of 2021 in respect of furnishing of sureties and to direct the petitioner to be released on bail on his executing an own bond to the Superintendent, Sub Jail, Gobichettipalayam, Coimbatore District.

2. The learned counsel for the petitioner submitted that though the petitioner was granted bail as early as on 22.03.2021, due to COVID pandemic, he could not produce sureties and he has been languishing in jail for more than 100 days. The learned counsel therefore prayed this

court to modify the condition of furnishing sureties imposed earlier and he may be released on bail on his executing an own bond to the jail authority and the petitioner undertakes to produce the sureties as directed by this court within two weeks from the date of his release from the prison.

3. The learned Government Advocate (Criminal Side) appearing for the respondent strongly opposed the plea of the petitioner. He further submitted that the petitioner has involved in a serious crime of robbery and if he is released on bail he would abscond and flee away from the clutches of law.

4. This court has considered the rival submissions carefully.

5. Considering the submissions made on either side, more particularly, the inability of the petitioner to produce sureties due to Covid19 pandemic and the other facts and circumstances of the case, this court is inclined to modify the condition of furnishing sureties imposed earlier for the present and instead the petitioner is directed to be released on bail on his executing an own bond for a sum of Rs.10,000/- to the Superintendent, Sub Jail, Gobichettipalayam, Coimbatore District. The petitioner shall execute sureties as directed by this court by order dated 22.03.2021 in Crl.O.P.No.5121 of 2021 within a period of two weeks from the date of his release from the prison. It is made clear that in the event the petitioner fails to execute sureties as directed above, it is open to the respondent police to seek for cancellation of bail.

With the above directions, this Criminal Miscellaneous Petition is ordered.

-sd/-
07/06/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

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TO

1 THE JUDICIAL MAGISTRATE-I,
COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
ARACHALUR POLICE STATION,
ERODE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE
SUB JAIL, GOBICHETTIPALAYAM,
ERODE DISTRICT.

C.C. to M/S.A.P.SATHYAMOORTHY Advocate on payment of necessary
charges

Order

in
CRL MP.6116/2021

in
CRL OP.5121/2021

Date :07/06/2021

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

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MN-07/06/2021

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