



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.12123 of 2021

K.Pandiyan
S/o.Kunjan

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Kodumudi Police Station,
(Cr.No.152 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439(1)(b) to modify the condition in clause (a) " ... with two sureties out of which one surety must be the blood surety...." to any other common surety, imposed in the bail order in Crl.MP.No.812 of 2021 dated 11.06.2021 on the file of the learned Principal District Sessions Judge, Erode.

For Petitioner : Mr.R.Prabakar
for M/s.U.Azrudhin

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

ORDER

The present petition has been filed to modify the condition in clause (a) " ... with two sureties out of which one surety must be the blood surety...." to any other common surety, imposed in the bail order in Crl.MP.No.812 of 2021 dated 11.06.2021 on the file of the learned Principal District Sessions Judge, Erode.

2. The Principal District and Sessions Court, Erode District, vide order dated 11.06.2021 in Crl.MP.No.812 of 2021 in Crime No.154 of 2021, while granted bail to the petitioner/accused, imposed the aforesaid condition.

3. The learned counsel for the petitioner has submitted that the condition imposed for production of two sureties, out of



which, one must be the blood surety may be modified to any common surety.

4. Learned Government Advocate (Crl.Side) submits that he has no objection for granting the said modification.

5. In the above circumstances, this petition is allowed by modifying the conditions imposed by the trial court relating to one surety, being a blood surety as any common surety and the other surety shall be a solvent surety, for which necessary solvency certificate shall be produced. The order passed by the Principal District and Sessions Court, Erode District, vide order dated 11.06.2021 in Crl.MP.No.812 of 2021 in Crime No.152 of 2021 is modified only to the extent aforesaid. Apart from the aforesaid modification, the order passed by the court below in all other aspects stand unaltered.

Vv

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Principal District and Sessions Judge,
Erode.
2. The District Munsif-Cum-Judicial Magistrate,
Kodumudi.
3. The Inspector of Police,
Kodumudi Police Station, Erode.
4. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr. U. Azrudhin, Advocate Sr.33614

Crl.O.P.No.12123 of 2021

EV(CO)
EU 15.7.2021