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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.15423 of 2021

Iyappan @ Dani
S/o Kamaraj

...Petitioner

Vs.

The Inspector of Police,
H 3, Tondiarpet Police Station,
Chennai - 600 081.
(Crime No.11 of 2021)

...Respondent

Prayer: Criminal Original Petition has been filed under Sections 439(1)(b) of the Code of Criminal Procedure, to modify the condition imposed on the petitioner shall execute sureties has any one of his relatives or friends instead of the condition imposed in column (a) of the order that the petitioners each shall execute two sureties, one surety must be a blood relative for a sum of Rs.10,000/- each before the Metropolitan Magistrate No.XV. George Town, Chennai within ten days after regular functioning of Courts in Crl.M.P.No.10347 of 2021 dated 19.05.2021.

For Petitioner : Mr.K. Mohan Raj

For Respondent : Mr.A. Gopinath
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to modify the condition imposed on the petitioner shall execute sureties has any one of his relatives or friends instead of the condition imposed in column (a) of the order that the petitioners each shall execute two sureties, one surety must be a blood relative for a sum of Rs.10,000/- each before the Metropolitan Magistrate No.XV. George Town, Chennai within ten days after regular functioning of Courts in Crl.M.P.No.10347 of 2021 dated 19.05.2021.

2. . The learned counsel for the petitioner submits that the lower Court, while granting bail to the petitioner, imposed a condition that the petitioner shall execute two sureties, one surety must be a blood relative for a sum of Rs.10,000/-. He



further submits that as his parents are no more and he is the only son he is not able to execute blood related sureties. Hence, he sought for suitable modification of the above said condition with regard to the blood related surety.

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3. Heard both sides.

4. Considering the facts and circumstances of the case, this Court modifies the condition imposed on the petitioner by the Court below in CrI.M.P.No.10347 of 2021 dated 19.05.2021 is modified to the effect that the petitioner shall execute a bond for a sum of Rs.10,000 with two sureties, each for like sum out of which one surety should be a local surety and another surety should be any one of the relatives of the petitioner. The other conditions imposed by the Court below shall remain intact.

5. With the above modification, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

smn

To

1. The XV Metropolitan Magistrate,
George Town Chennai.
2. The Inspector of Police,
H 3, Tondiarpet Police Station,
Chennai - 600 081.
3. The Public Prosecutor, (CrI.Side)
Madras High Court.

CrI.O.P.No.15423 of 2021

SRA[co]
NSK 17/09/2021