



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Second day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

and

The Hon`ble Mrs Justice S. SRIMATHY

CRIMINAL MISCELLANEOUS PETITION No.10526 of 2021

IN CRL.A.No.116 of 2021

GOVINDAN @ GOVINDARAJ

[PETITIONER / APPELLANT / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ATTAYAMPATTI POLICE STATION,
SALEM DISTRICT.
CRIME NO.291 OF 2017.

[RESPONDENT / COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to modify the condition imposed in para 10(i) of the bail order that is the petitioner shall execute a bond for a sum of Rs.25,000 with two sureties of whom one should be a blood relative, each for a likesum to the satisfaction learned III Additional District and Sessions Judge, Salem into submit a blood surety without solvency for Rs.25,000/- and exexuting bond for the same amount passed in Crl.M.P.No.2973 of 2021 in Crl.A.No.116 of 2021 on the file of this Honourable Court, vide order dated 24.06.2021 and thus render justice.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.A.ABDUL LATHIF, Advocate for the Petitioner and of M/S.R.MUNIYAPPARAJ, ADDITIONAL PUBLIC PROSECUTOR, on behalf of the Respondent the court made the following order:-



(Made by P.N.PRAKASH,J.)

This petition has been filed to modify the bail condition imposed by this Court vide order dated 24.06.2021 passed in Crl.M.P.No.2973 of 2021 in Crl.A.No.116 of 2021.

2. This Court, by order dated 24.06.2021 in Crl.M.P.No.2973 of 2021 in Crl.A.No.116 of 2021, granted suspension of sentence and bail to the petitioner on certain conditions, one of which is that, "10. (i) The petitioner shall execute a bond for a sum of Rs.25,000/- with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned III Additional District and Sessions Judge, Salem."

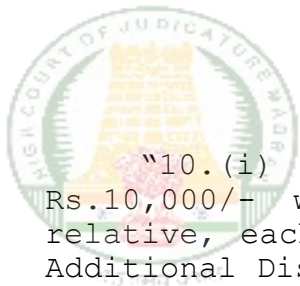
3. Contending that the petitioner is unable to muster two sureties for Rs.25,000/- each, this petition for modification has been filed.

4. Heard Mr.A.Abdul Lathif, learned counsel for the petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor appearing for the respondent/State.

5. The learned counsel for the petitioner submitted that though bail was granted to the petitioner on 24.06.2021, he has not been able to realize the fruits of the order, inasmuch as, he has not been able to muster two sureties for Rs.25,000/- each, as ordered by this Court and hence, prayed for modification of the aforesaid condition.

6. We carefully considered the submission made by the learned counsel for the petitioner. It is seen that though bail was granted to the petitioner on 24.06.2021, on account of his poverty he has not been able to get two sureties for Rs.25,000/- each, as ordered by this Court.

7. In such view of the matter, this criminal miscellaneous petition stands allowed and the aforesaid condition is modified as follows:



"10.(i) The petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned III Additional District and Sessions Judge, Salem."

WEB COPY
The rest of the conditions imposed by this Court in order dated 24.06.2021 passed in Crl.M.P.No.2973 of 2021 in Crl.A.No.116 of 2021 shall remain the same.

-sd/-

22/10/2021

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

TRUE COPY

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

TO

1 THE III ADDITIONAL DISTRICT
AND SESSIONS JUDGE, SALEM.

2 THE INSPECTOR OF POLICE,
ATTAYAMPATTI POLICE STATION,
SALEM DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

C.C. to M/S.A.ABDUL LATHIF Advocate on payment of necessary charges

Order
in
CRL MP.10526/2021
in
CRL A.116/2021

Date :22/10/2021

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

JPA 27/10/2021