



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.20476 of 2021

Nagaraj,

... Petitioner/Accused No.2

Vs.

State represented by
Inspector of Police
Steel Plant Police Station,
Salem, Crime No.233 of 2021

...Respondent/Complainant

PRAYER: Criminal Original Petition has been filed under Section 439 (1)(b) of Cr.P.C praying to modify the condition No.1 imposed in the order dated 20.10.2021 passed in Crl.M.P.No.3804 of 2021 in PRC No.79 of 2021 pending on the file of the Judicial Magistrate No.1, Salem.

For Petitioner : Mr.C.D.Sugumar

For Respondent: Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

This petition is filed to modify the condition No.1 imposed in the order dated 20.10.2021 passed in Crl.M.P.No.3804 of 2021 in PRC No.79 of 2021 pending on the file of Judicial Magistrate No.1, Salem.

2. The order dated 20.10.2021 passed in Crl.M.P.No.3804 of 2021 is extracted below:-

(1). That the petitioners in CMP. No.3804 of 2021 and 3805 of 2021 are ordered to released on bail on executing their bond each for Rs.10,000/- (Rupees Ten Thousand only) with two sureties, out of them one must be blood related to the petitioners, for a like sum each to the satisfaction of the Learned Judicial Magistrate No.1, Salem.



3. The Learned Counsel for the petitioner states that, the petitioner/A2 has no parents and the petitioner was ordered to be released on bail on executing bond by the Principal Sessions Judge, Salem, with condition that, one of the surety must be the blood relation. But, the petitioner has lost his parents long back. He is not having brother and sister also. He is also having another close relative, who are ready to give surety for him. As, the petitioner has no parents, the petitioner's close relative who is ready to give surety. He has no previous case. The petitioner is under the custody from 12.06.2021 onwards. Due to non-production of the surety, he is in the judicial custody all these days.

4. Considering the facts and circumstances, this Court modifies the Condition No.1. The petitioner's surety must be his close relatives along with that, the Aadhar Card of the petitioner also to be enclosed. With regard to the other conditions are to be followed as implicated by the Principal Sessions Judges, Salem. Accordingly, the condition No.1 imposed in the order dated 20.10.2021 passed in CrI.M.P.No.3804 of 2021 is modified. Hence, the Criminal Original Petition is ordered.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

bsm/pbl

To

1. The Judicial Magistrate No.1, Salem.
2. The Principal Sessions Judge, Salem.
3. The Inspector of Police, Steel Plant Police Station, Salem.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.D.Sugumar, Advocate, S.R.No.58085

CrI.O.P.No.20476 of 2021

SMI (CO)
CB(15/11/2021)