



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2021

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL.O.P.NO.21073 OF 2021

Najim Hussain M/Age 22 years,
S/o.Arshad Hussain

...Petitioner/Accused

Vs.

State Represented by,
The Inspector of Police,
S-5, Pallavaram Police Station,
Chennai.

...Respondent/Complainant

Prayer: Criminal Original Petition has been filed under Sections 439(1)(b) of the Code of Criminal Procedure, to modify the conditions are imposed in bail granted application in Crl.M.P.No.1919 of 2021 by the Hon'ble Judicial Magistrate-II, Court, Tambaram on 21.09.2021.

For Petitioner : Mr.L.Chenkuttuvan

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to modify the condition imposed by the learned Judicial Magistrate No.II, Tambaram, in Crl.M.P.No.1919 of 2021 dated 21.09.2021.

2. The learned counsel for the petitioner submitted that the petitioner is not an accused and the lower Court, while granting bail to the petitioner, the trial Court imposed a condition that the petitioner was directed to deposit a sum of Rs.1,00,000/- before the learned Judicial Magistrate Court No.II, Tambaram and he shall execute a bond for Rs.1,00,000/- each to the satisfaction of the Court out of which one surety must be blood relative and one surety must be a Government Employee from his locality. However, he is unable to raise funds to deposit the said amount and not able to get Government employee as surety. Hence, the modification petition has been filed by the petitioner.



3. Heard the learned Government Advocate (Criminal Side) appearing for the respondent police.

4. Considering the facts and circumstances of the case, reason is justifiable, hence, this Court modifies the condition that the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) before the learned Judicial Magistrate Court No.II. Tambaram and the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, (out of which one should be a blood related surety). The other conditions imposed by the Court shall remain intact.

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

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

msrm

To

1. The Judicial Magistrate No.II, Tambaram.

2. The Inspector of Police,
S-5, Pallavaram Police Station,
Chennai.

3. The Superintendent,
Central Prison,
Puzhal, Chennai.

4. The Public Prosecutor,
Madras High Court.

+2cc to Mr.L.Chenkuttuvan, Advocate, S.R.No.60367

Cr1.O.P.No.21073 of 2021

EV(CO)
RGA(26/11/2021)