



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirteenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

and

The Hon`ble Mrs Justice R. HEMALATHA

CRIMINAL MISCELLANEOUS PETITION No.13106 of 2021

IN CRL.A.NO.47 of 2021

ARULSELVAM

[1st APPELLANT/PETITIONER]

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
ATTAIYAMPATTI POLICE STATION,
SALEM DISTRICT.
(CR.NO.26 OF 2018)

[RESPONDENT]

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 the order dated 26/10/2021 in Crl.M.P.No.6778 of 2021 in C.A.No.47 of 2021 regarding of execution of one surety should be a blood relative is concerned 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.N.PREMALATHA, Advocate for the Petitioner and of MR.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 26.10.2021 passed in Crl.M.P.No.6778 of 2021 in Crl.A.No.47 of 2021.

2. This Court, by order dated 26.10.2021 in Crl.M.P.No.6778 of 2021 in Crl.A.No.47 of 2021, granted suspension of sentence and bail to the petitioner on certain conditions, one of which is that, "8.(i) The petitioner (A1) 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 I Additional District and Sessions Court, Salem;"

3. The learned counsel for the petitioner submitted that no blood relative of the petitioner is willing to come forward to stand as surety for the petitioner. He further submitted that the petitioner's brother-in-law came forward to stand as surety, but, the trial Court did not accept his surety on the ground that he is not a blood relative.

4. The fact remains that the petitioner was granted suspension of sentence and bail on 26.10.2021 and till date, he has not been able to enjoy the fruits of the same.

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

"8.(i) The petitioner (A1) shall execute a bond for a sum of Rs.25,000/- with two sureties, of whom, one should be a relative, each for a like sum to the satisfaction of the I Additional District and Sessions Court, Salem;"

The rest of the conditions imposed by this Court in order dated 26.10.2021 passed in CrI.M.P.No.6778 of 2021 in CrI.A.No.47 of 2021 shall remain the same.

-sd/-
13/12/2021

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 I ADDITIONAL DISTRICT AND SESSIONS JUDGE,
SALEM.

2 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

3 THE INSPECTOR OF POLICE,
ATTAIYAMPATTI POLICE STATION,
SALEM DISTRICT.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

WEB COPY

+1C.C. to M/S.R.NALLIYAPPAN Advocate on payment of necessary
charges SR.NO.14651

Order
in
CRL MP.13106/2021
in
CRL.A.47/2021
Date :13/12/2021

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

CSK 15/12/2021