



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2021

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL.O.P.NO.24193 OF 2021

S.Kuttan @ Rajesh, M/A 30 years,
S/o.Sankar

... Petitioner/Accused

Vs.

State Rep. by,
The Sub Inspector of Police,
Vellakovil Police Station,
Tiruppur District.
Cr.No.640 of 2021.

... Respondent

Prayer: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to set aside the order in Crl.M.P.No.1553 of 2021 dated 17.09.2021 on the file of the Principal Sessions Judge, Tiruppur and modify the condition imposed in Crl.MP.No.37 of 2021 dated 27.07.2021 on the file of Judicial Magistrate, Kangeyam to accept the surety of the petitioner without solvency certificate.

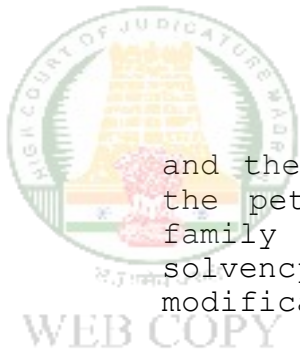
For Petitioner : Mr.M.Mohamed Riyaz for
M/s.Jayashree Dharbar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to set aside the order in Crl.M.P.No.1553 of 2021 dated 17.09.2021 on the file of the Principal Sessions Judge, Tiruppur and modify the condition imposed by the learned Judicial Magistrate, Kangeyam in Crl.M.P.No.37 of 2021 dated 27.07.2021.

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 shall execute a bond for a sum of Rs.25,000/- along with two sureties in which one surety must be blood surety



and the sureties shall produce solvency certificate. However, the petitioner does not own any property in his name or his family members and as such, his family members cannot get any solvency certificate from the Tahsildhar. Hence, the modification petition has been filed by the petitioner.

3. Heard the learned Additional Public Prosecutor 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 shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties in which one surety must be blood surety. The other conditions imposed by the Court shall remain intact.

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

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

drl

To

1. The Principal Sessions Judge,
Tiruppur.
2. The Judicial Magistrate,
Kangeyam.
3. The Sub Inspector of Police,
Vellakovil Police Station,
Tiruppur District.
4. The Public Prosecutor,
Madras High Court.

+1cc to Mr.M.Mphamed Riyaz, Advocate, S.R.No.1240 [27/04/2022]

Cr1.O.P.No.24193 of 2021

SV(CO)
RLP(29/12/2021)