



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 05/05/2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.6355 of 2021

Miyan @ Miyankan

... Petitioner/Petitioner

Vs

State Rep. by
The Inspector of Police,
Pathamada Police Station,
Tirunelveli District ,
Crime No. 47/2013.

... Respondent/Complainant

Prayer in CRL OP(MD). 6355/ 2021 :

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Modify the Condition imposed in Cr.M.P No.1262/2020 in S.C No. 79/2017 dated 23.11.2020 on the file of the Learned II Additional Sessions Judge, Tirunelveli

ORDER: This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.PON KARTHIKEYAN.R, Advocate for the petitioner and of MR.A.ROBINSON, Government Advocate (Crl. Side) on behalf of the Respondent, the court made the following order:-

This petition has been filed to modify the first condition imposed by the learned II Additional District and Sessions Judge, Tirunelveli in Cr.M.P.No. 1262 of 2020 dated 23.11.2020.

2. The learned counsel for the petitioner would submit that the petitioner was granted bail by the learned II Additional District and Sessions Judge, Tirunelveli dated 23.11.2020 in Cr.M.P.No. 1262 of 2020 with a condition that the petitioner shall execute a bond for Rs.25,000/- with two sureties for the like sum each and one surety shall be a blood relative and other surety shall produce the solvency certificate not below the rank of Deputy Tahsildhar. He would further submit none of the the petitioner's relative have not come forward to file a bail application for him and he is in jail for more than two years and now only he has filed a bail application and the bail was granted. Even though bail was granted on 23.11.2020 he was unable to produce sureties due to the condition imposed, hence he seeks modification of the said condition.



3. Heard the learned Government Advocate (Crl.side) appearing for the respondent.

4. Taking into consideration the submissions made by the learned counsel for the petitioner the condition imposed by the learned II Additional District and Sessions Judge, Tirunelveli dated 23.11.2020 in Cr.M.P.No. 1262 of 2020 directing the petitioner to execute a bond for Rs.25,000/- with two sureties for the like sum each and one surety shall be a blood relative and other surety shall produce the solvency certificate not below the rank of Deputy Tahsildhar is modified to the effect that the petitioner shall execute a bond for a sum of Rs.25,000/- with two sureties each for the like sum to the satisfaction of the Magistrate concerned. All other conditions in the said order shall remain intact.

5. This petition is ordered accordingly.

sd/-
05/05/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE,
TIRUNELVELI
- 2 THE INSPECTOR OF POLICE,
PATHAMADAI POLICE STATION,
TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6355 of 2021
Date :05/05/2021

AAV/TTA

<https://hcmjce.sirgob.in/Services/34/52/694/05.2021/2P/4C>