



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

Friday, the Third day of September Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN
and
The Hon`ble Mrs.Justice J.NISHA BANU

Crl.M.P.(MD).No.6603 of 2021
in
Crl.A(MD) No.312 of 2020

MARTIN MONTRIQUE MANSOOR ... PETITIONER/PETITIONER/APPELLANT

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
THIRUNAGAR POLICE STATION,
MADURAI DISTRICT.
CRIME NO.173 OF 2012.

... RESPONDENT/RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition No.1 in Crl.MP.(MD).No.4322 of 2021 in Crl.A.(MD).No.312 of 2020 dated 28.07.2021 as any sureties instead of a Blood related surety on the file of this Honble Court.

PRAYER IN CRL A(MD).312 OF 2020

To take this appeal on file, call for records from the Lower court in S.C.No.109/2013 on the file of Mahila Neethimandram, Madurai hear both sides and allow the appeal by setting aside the Judgment and conviction and sentence imposed against the appellant/accused and order to acquit the appellant/accused from the charges.

Order :This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.PRABHU.K, Advocate for the petitioner and of MR.S.RAVI, Standing Counsel for the State on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by **V.BHARATHIDASAN,J.**)

Earlier, this Court, by an order dated 28.07.2021 in Crl.M.P.(MD) No.4322 of 2021 in Crl.A.(MD) No.312 of 2020, suspended the sentenced imposed on the petitioner, on condition that the petitioner shall execute a bond for Rs.10,000/- with two sureties, one should be a blood related surety, to the satisfaction of the learned Sessions Judge, Mahalir Neethimandram, Madurai. To modify



the above said condition, the present Criminal Miscellaneous Petition has been filed.

2. The learned counsel appearing for the petitioner would submit that the petitioner is a Mexican citizen and he has no blood relative in India. That apart, pending trial, he was granted bail and he was regularly appearing before the trial Court and also co-operate with the investigation and there is no chance of absconding. Even though the bail was granted on 28.07.2021, he is not able to execute the surety so far. Hence, he seeks modification.

3. Considering the fact that the petitioner is a Mexican citizen and he has no blood relative in India, we are inclined to modify the condition as follows:

The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Mahalir Neethimandram, Madurai. The other conditions imposed by this Court, remain unaltered. Further, the petitioner shall not leave the country till the disposal of the appeal, without getting permission from the concerned trial Court.

Sd/-
03/09/2021

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

TO

- 1 THE SEESIONS JDUGE,
MAHALIR NEETHIMANDRAM, MADURAI
- 2 THE INSPECTOR OF POLICE
THIRUNAGAR POLICE STATION,
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.PRABHU, Advocate (SR-5933[I] dated 03/09/2021)

ORDER
IN
Crl.M.P. (MD) .No.6603 of 2021
in
Crl.A (MD) No.312 of 2020
Date :03/09/2021