



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

Date : 01.09.2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

WEB COPY

CRL OP(MD)No.12629 of 2021

Sethumurugan @ Sethu

... Petitioner/Petitioner

Vs

State represented by
The Inspector of Police,
Natchiyarkovil Police Station,
Thanjavur,
[Crime No.753 of 2021]

... Respondent/Respondent

For Petitioners : Mr.A.Joel Paul Antony

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.439(1)(b) of Cr.P.C

PRAYER :-

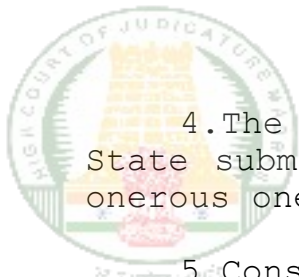
For modification of the condition No.1 in Cr.M.P.No.1733 of 2021, dated 07.07.2021 on the file of the learned Judicial Magistrate No.II, Kumbakonam.

ORDER : The Court made the following order :

This petition has been filed seeking to modify condition No.1 imposed by the learned Judicial Magistrate No.II, Kumbakonam in Cr.M.P.No.1733 of 2021, dated 07.07.2021.

2.By order dated 07.07.2021, the petitioner has been granted bail by the learned Judicial Magistrate No.II, Kumbakonam in Cr.M.P.No.1733 of 2021 with *inter alia* conditions to produce the bonds executed by two blood related sureties.

3.The learned counsel for the petitioner submits that the petitioner was arrested on 19.06.2021 and he was granted bail by the trial Court on 07.07.2021. The petitioner's relatives are residing in Sivagangai district and therefore, he is unable to produce blood related sureties and execute the bonds as directed by the Court. Though the petitioner has been granted bail as early as on 07.07.2021, he could not come out, due to such a condition. Therefore, the learned Counsel prays for modification of such a condition to that of production of any sureties.



4.The learned Government Advocate (Crl Side) appearing for the State submitted the condition imposed by the trial Court is not an onerous one to comply with.

5.Considering the fact that the petitioner has been arrested on 19.06.2021 and though he has been granted bail as early as on 07.07.2021, he is in jail so far due to the non compliance of condition No.1 imposed by the trial Court, this Court is inclined to modify the condition.

6.In view of the above this petition is ordered. Condition No.1 of the order dated 07.07.2021 in Cr.M.P.No.1733 of 2021 on the file of the learned Judicial Magistrate No.II, Kumbakonam is modified and the petitioner is permitted to produce any two respectable persons from his locality as sureties and the rest of the above said order shall stand unaltered.

sd/-
01/09/2021

/ TRUE COPY /

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

dsk

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 JUDICIAL MAGISTRATE NO II, KUMBAKONAM.
2. -do through THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
NATCHIYARKOVIL POLICE STATION, THANJAVUR DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12629 of 2021
Date :01/09/2021

RD/SKN/SAR-I(8.09.2021) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>