



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

Thursday, the Sixteenth day of December Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD) No.8903 of 2021

IN

CRL OP(MD) No.15449 of 2021

1 KARTHICK @ RED KARTHICK

2 VICKY @ VIGNESWARAN

3 MUNIYASAMY

... PETITIONERS/ PETITIONERS

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
PERUNGUDI POLICE STATION,
MADURAI DISTRICT.
CRIME NO.163 OF 2014.

... RESPONDENT/ COMPLAINANT

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 as to give sureties of the petitioners family members before the Learned VI Additional Sessions Judge, Madurai instead of sureties should be respectable person in their locality either government servant or elected people representatives or the person who are having permanent business establishment in Crl.O.P. (MD).No.15449 of 2021 dated 08.10.2021.

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.S.MUNIYANDI, Advocate for the petitioner and of MR.P.KOTTAI CHAMY, Government Advocate (Crl. Side) on behalf of the Respondent, the court made the following order:-

This Criminal Miscellaneous Petition is filed by the petitioner to modify the condition imposed by this Court in Crl.O.P(MD) No.15449 of 2021, dated 08.10.2021.

2. The learned counsel for the petitioner submits that due to non-appearance of the petitioners, the trial Court issued Non-Bailable Warrant and on 14.09.2021, the petitioners were arrested and they are in jail for more than 90 days. This Court granted bail to the petitioner on 08.10.2021, in Crl.O.P(MD) No.15449 of 2021. He further submits that since the petitioners could not furnish substantial sureties before the trial Court, he has filed this petition seeking modification of condition and the



petitioners may be permitted to furnish sureties of their family members instead of respectable persons in their locality, either Government servants or elected people representatives or the persons who are having permanent business establishments.

3.Considering the period of incarceration of the petitioners, the condition 8 (a) of the order dated 08.10.2021, in Crl.O.P(MD) No.15449 of 2021 is modified that the parents of these petitioners/family members shall stand as sureties and shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only), each and to file an affidavit of undertaking that these petitioners will appear before the trial Court regularly in future without fail. In case, if the petitioners failed to appear in any one hearing, the trial Court shall proceed as against the sureties and can impound the surety amount.

4.Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-
16/12/2021

/ TRUE COPY /

22/12/2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE VI ADDITIONAL SESSIONS JUDGE,
MADURAI.
- 2 THE INSPECTOR OF POLICE
PERUNGUDI POLICE STATION, MADURAI DISTRICT.
- 3 THE SUPERINTENDENT,
FOSTER SCHOOL, MELUR,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to MR.S.MUNIYANDI, Advocate (SR-9355[I] dated 16/12/2021)

ORDER
IN
CRL MP(MD) No.8903 of 2021
IN
CRL OP(MD) No.15449 of 2021
Date :16/12/2021

VRN
MK/PN/SAR.III/22.12.2021/2P/6C

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