



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

Friday, the Twenty Ninth day of October Two Thousand and Twenty One
PRESENT

The Honourable Mr. Justice R. PONGIAPPAN

CRL MP(MD). No.9075 of 2021

in

CrI.A(MD)No.397 of 2021

L.Saravanakumar

... Appellant/Petitioner

Vs

1.The Assistant Commissioner of Police,
Thilagar Thidal,
Madurai City.

2.The Inspector of Police,
All Women Police Station South,
Madurai City,
Cr.No.18 of 2021.

... Respondents 1 & 2/Complainants

3.Kavibala

... 3rd Respondent/Defacto Complainant

Prayer:-

The Criminal Miscellaneous Petition filed under Section 482 of Cr.P.C to modify the condition in CrI.A.No.397 of 2021 dated 21.10.2021 by directing the Petitioner to one should be a blood relative instead relatives.

Prayer in CrI.A(MD)No.397 of 2021:

The Criminal Appeal filed under section Petition 14A(2) of SC/ST(POA) Act,1989, as amended by Act 1 of 2016, against the order of dismissal dated 08/09/2021, passed in CrI.MP No.921 of 2021 on the file of the III Additional District and Sessions(PCR) Court, Madurai.

ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.G.Sivaraja, Advocate, for the Petitioner and of Mr.E.Antony Sahaya Prabahar, Additional Public Prosecutor for the respondents 1 and 2, this Court made the following order:

The present Criminal Miscellaneous Petition has been filed to modify condition No.1 in the judgment dated 21.10.2021, made in CrI.A.(MD)No.397 of 2021, wherein this Court while at the time of granting bail to the petitioner/appellant directed him to execute a bond for a sum of Rs.25,000/- with two sureties, of whom, one should be blood relative, each for a like sum to the satisfaction of the



learned III Additional District and Sessions Judge (PCR), Madurai.

2.It is the submission made by the learned counsel appearing for the petitioner that in the petition mentioned case, both the petitioner and his mother are arrayed as accused and now, the petitioner's father is no more. The only relative, who is the sister of the petitioner, settled in abroad and therefore, the petitioner is unable to execute a bond by producing two sureties, of whom, one should be blood relative.

3.In respect of the above said submissions made by the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the respondents Police fairly conceded that the petitioner is a lonely man and residing in a rented apartment. Further, the petitioner is in judicial custody from 02.08.2021 onwards and investigation is yet to be completed.

4.Considering the above said facts and circumstances of the case, I am of the view that further custodial interrogation of the petitioner is not necessary. Apart from that, due to the modification as required by the petitioner, no one will be prejudiced.

5.Therefore, in view of the above, this Criminal Miscellaneous Petition is ordered and condition No.1 in the judgment dated 21.10.2021, made in Crl.A.(MD)No.397 of 2021 is modified as follows:-

The appellant shall execute a bond for a sum of Rs.25,000/- with two sureties, each for a like sum to the satisfaction of the learned III Additional District and Sessions Judge (PCR), Madurai.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1.The III Additional District and Sessions Judge (PCR),
Madurai.

2.The Assistant Commissioner of Police,
Thilagar Thidal,
Madurai City.



3.The Inspector of Police,
All Women Police Station South,
Madurai City.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

1.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

ORDER DATED : 29/10/2021

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ORDER

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CRL MP(MD) . No.9075 of 2021

**Giving directions and etc.
as stated within.**

RS (29.10.2021) 3P 6C