



Crl.M.P.No.4171 of 2022
in Crl.A.No.417 of 2021

P.N.PRAKASH, J.
AND
A.A.NAKKIRAN, J.

(Made by *P.N.PRAKASH, J.*)

This criminal miscellaneous petition has been filed to modify the conditions imposed by this Court *vide* order dated 03.02.2022 in Crl.A.No.417 of 2021.

2. By order dated 03.02.2022 in Crl.A.No.417 of 2021, this Court granted bail to the petitioner on certain conditions, two of which, read as under:

“On the appellant filing such an affidavit before the Special Court, the appellant shall be enlarged on bail on her satisfying the following conditions:

- i. The appellant shall execute a bond for a sum of Rs.25,000/- with two sureties for like sum each to the satisfaction of the Special Court for Exclusive Trial of Bomb Blast Cases, Poonamallee, Chennai. The appellant should furnish her permanent address and shall inform the trial Court and the respondents about any change in her address.*
- ii. The sureties should be the blood relatives of the appellant and they shall affix their photographs and Left Thumb Impression in the surety bond and the Adhaar Card or Bank pass book and mobile numbers to ensure their identity.”*

3. The present petition has been filed for modification of the aforesaid two conditions on the ground that the petitioner has not been able to secure blood relatives as sureties, who are worth Rs.25,000/-. That apart, the trial Court, while scrutinizing the surety application, has stated that the petitioner has not given any proof of permanent address along with the surety memorandum.



4. The learned counsel for the petitioner submitted the petitioner is the wife of one Vivek @ Thozhar Vivek, who is a resident of Madurai District, but, has now taken a house in Door No.22/8, R-Block, First Floor, Tamil Nadu Slum Clearance Board, Kotturpuram, Chennai-85, to accommodate his wife on her release from custody and to that effect, the petitioner has also filed an affidavit dated 08.04.2022 attested by the Superintendent of Prisons, Special Prison for Women, Puzhal, Chennai. He further submitted that the petitioner's parents are Kakarla Suryanarayana (father) and Venkataramana (mother) and her father had already stood surety for her, when she was released earlier; since she absconded thereafter, surety action was initiated against her father and therefore, his surety was not accepted by the trial Court. Hence, the learned counsel for the petitioner submitted that the surety of the petitioner's mother may be accepted and as for the second surety, a respectable person not necessarily a relative of the petitioner may be permitted to stand as surety.

5. The respondent has conducted verification and has filed a counter affidavit dated 07.04.2022, wherein, it is stated that the petitioner's father name is Kakarla Suryanarayana residing in 1st floor, Vedavidyapetham, Ramanujanagar, Munaganoor, K.V.Rangareddy District, Telungana State - 501 511.

6. As regards the Chennai address that has been given by the petitioner,



the learned Additional Public Prosecutor submitted that the same was verified and it was found that the petitioner's husband Vivek has taken that place on rent a month ago.

7. Be that as it may, we are inclined to modify the aforesaid conditions as under:

“

- i. The petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Special Court for Exclusive Trial of Bomb Blast Cases, Poonamallee, Chennai.
- ii. The trial Court shall accept the surety of the petitioner's mother and another surety of a respectable person not necessarily the relative of the petitioner.
- iii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Adhaar Card or Bank pass book and mobile numbers to ensure their identity.
- iv. It is made clear that as and when the petitioner vacates from Chennai, she shall inform the trial Court as well the respondent of her new address.”

The rest of the conditions imposed by this Court on 03.02.2022 in Crl.A.No.417 of 2021 shall remain the same.

With the above modifications, this criminal miscellaneous stands allowed.

(P.N.P.,J.) (A.A.N.,J.)
12.04.2022



WEB COPY

Crl.M.P.No.4171 of 2022
in Crl.A.No.417 of 2021



AND
A.A.NAKKIRAN, J.

nsd

To

- 1.The Sessions Judge,
Sessions Court for Exclusive Trial of Bomb Blast Cases,
(Special Court under the POTA),
Poonamallee, Chennai.
- 2.The Deputy Superintendent of Police,
'Q' Branch CID, Dharmapuri.
- 3.The Superintendent of Prison,
Special Prison for Women,
Puzhal, Chennai.
- 4.The Public Prosecutor,
Madras High Court,
Chennai – 600 104.

Crl.M.P.No.4171 of 2022
in Crl.A.No.417 of 2021

12.04.2022