



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.8336 of 2022

M.Prakash

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Kangayam Police Station,
Tiruppur District.
Crime No.1049 of 2021

... Respondent

PRAYER: The Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to modify the Condition No.1 as "sureties without solvency certificate" and Condition No.2 as "shall appear before the respondent Police whenever required", which are imposed by the Judicial Magistrate, Kangayam in the order dated 27.12.2021 in E.Crmp.No.75 of 2021 in Crl.M.P.No.5461 of 2021.

For Petitioner : Mr.A.Suresh Sakthu Murugan

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking to modify the Condition No.1 as "sureties without solvency certificate" and Condition No.2 as "shall appear before the respondent police whenever required", which are imposed by the learned Judicial Magistrate, Kangayam, in the order dated 27.12.2021 in E.Crmp.No.75 of 2021 in Crl.M.P.No.5461 of 2021.

2. The learned counsel for the petitioner submitted that the petitioner is an accused in Crime No.1049 of 2021 registered for the offences under Sections 341, 364(A), 506(ii) 212 and 414 IPC. The petitioner was arrested and remanded to judicial custody on 26.08.2021 and he was under judicial custody for more than 210 days. Since the respondent Police has not laid the



be able to comply with. This Court is of the opinion that the condition imposed by the learned Judge directing the petitioner to furnish the Solvency Certificate is onerous.

6. In view of the above, the conditions imposed by the learned Judicial Magistrate, Kangayam stands modified. The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties, out of which, one surety must be a blood surety. The petitioner shall appear before the respondent Police and to sign daily at 10.00 a.m., until further orders and other conditions imposed by the trial Court shall remain unaltered. The Court shall not insist for prosecution of Solvency Certificate.

7. Accordingly, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar (CS III)

/True Copy//

Sub Assistant Registrar

vkrg/gba

To

1. The Inspector of Police,
Kangayam Police Station,
Tiruppur District.
Crime No.1049 of 2021.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Suresh Sakthu Murugan, Advocate, S.R.No.27418

Cr1.O.P.No.8336 of 2022

GP[co]
NSK 05/05/2022