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CrI.M.P.No.16264 of 2022
in CrI.A.No.652 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2022

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE RMT. TEEKAA RAMAN

CrI.M.P.No.16264 of 2022

in

CrI.A.No.652 of 2022

Reena Joyce Mary
W/o.Kannan

.. Petitioner

Vs.

State represented by
The Deputy Superintendent of Police,
Q Branch CID,
Dharmapuri.
[Uthangarai P.S. Crime Nos.1004/02,
1005/02, 1006/02 and Kallavi P.S.
Crime No.434/02]

.. Respondent

Criminal Miscellaneous Petition filed under Section 482 of the Code of Criminal Procedure seeking modification of the condition imposed by this Court in CrI.A.No.652 of 2022 dated 02.09.2022.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor



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ORDER

[Made by **P.N.PRAKASH, J**]

The petitioner was granted bail in CrI.A.No.652 of 2022 on 02.09.2022 on certain conditions, two of which, are as under:

"(a) on executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the Special Court under the Prevention of Terrorism Act (POTA), 2002 (Sessions Court for Exclusive Trial of Bomb Blast Cases), Poonamallee, Chennai;

(b) one such surety shall be a Government Surety."

2. The present modification petition has been filed seeking modification of the aforesaid two conditions on the ground that the petitioner is under incarceration for the last 6 ½ years and her husband Kannan is also in jail and both her parents are not alive.

3. Mr.R.Sankarasubbu, learned counsel for the petitioner, submitted that the petitioner is not able to obtain sureties for executing a bond for Rs.25,000/- as the amount is very high and that apart, no Government servant is ready to stand as surety to the petitioner in a case of this nature fearing that he would loose his job



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if he stand surety.

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4. Mr.R.Muniyapparaj, learned Additional Public Prosecutor, strongly opposed this submission and stated that the petitioner is not even given her address to the trial Court.

5. This Court carefully considered the rival submissions.

6. Taking into consideration the fact that the petitioner is in incarceration from 2016 and that she is not able to enjoy the fruits of the bail order, we are inclined to modify the condition as under:

(a) the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) instead of Rs.25,000/-, with two sureties each for a like sum to the satisfaction of the Special Court under the Prevention of Terrorism Act (POTA), 2002 (Sessions Court for Exclusive Trial of Bomb Blast Cases), Poonamallee, Chennai;

P.N.PRAKASH, J



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and
RMT. TEEKAA RAMAN, J
gm

(b)as regards condition (b), instead of Government surety, the petitioner shall
furnish a surety, who shall be a blood relative or a close friend.

All other conditions imposed in the earlier order shall remain unaltered.

With the above modification, this miscellaneous petition is disposed of.

[PNP., J] [TKR., J]
28.11.2022

Index:yes/no

gm

To

- 1.The Special Court under the
Prevention of Terrorism Act (POTA), 2002,
(Sessions Court for Exclusive Trial of Bomb Blast Cases),
Poonamallee, Chennai.
- 2.The Deputy Superintendent of Police,
Q Branch CID,
Dharmapuri. [Uthangarai P.S. Crime Nos.1004/02, 1005/02, 1006/02 and Kallavi
P.S.Crime No.434/02]
- 3.The Public Prosecutor, High Court, Madras.

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