



WEB COPY

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

Date : 11/04/2022

CORAM

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.6699 of 2022

Vadivel : Petitioner

Vs

State represented by
The Sub-Inspector of Police,
Economic Offences Wing - II Police Station,
Dindigul Distirct.
Crime No.1 of 2020 : Respondent

PRAYER: Criminal Original Petition filed under Section 482 r/w. Section 439(1)(b) of Cr.P.C., to modify the condition imposed by the learned Special Judge, Special Court under TNPID Act Cases, Madurai, in Cr.M.P.No.5 of 2022, dated 27.01.2022.

For Petitioner : Mr.S.Balaji

For Respondent : Mr.M.Muthu Manikkam,
Government Advocate (Criminal Side)

O R D E R

The Criminal Original Petition has been filed seeking orders to modify the condition imposed by the learned Special Judge, Special Court under TNPID Act Cases, Madurai, in Cr.M.P.No.5 of 2022, dated 27.01.2022.

2.It is seen from the records that the learned Special Judge, Special Court under TNPID Act Cases, Madurai, while granting bail, has directed the petitioner to produce two sureties, in which, one surety must be respectable person of the locality like local body members and another surety must be a blood relative of the petitioner.

3.As rightly contended by the learned counsel for the petitioner, imposing condition directing for production of blood relative and local body member sureties is onerous and imposing of such condition amounts to denial of bail.



4. It is settled law, that the Hon'ble Supreme Court as well as this Court, in number of judgments, have specifically held that while enlarging the accused on bail, onerous conditions should not be imposed.

5. Considering the above, this Court is inclined to modify the condition imposed by the learned Special Judge, Special Court under TNPID Act Cases, Madurai, in Cr.M.P.No.5 of 2022, dated 27.01.2022. and the petitioner is directed to execute a bond for a sum of Rs.1,00,000/- along with two sureties for like sum to the satisfaction of the learned Special Judge, Special Court under TNPID Act Cases, Madurai and the other conditions imposed by the learned Judge shall remain unaltered.

6. With the above direction, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Special Judge, Special Court
under TNPID Act Cases, Madurai

2. The Sub-Inspector of Police,
Economic Offences Wing - II Police Station,
Dindigul Distirct.

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

+1 CC to M/s.S. BALAJI, Advocate (SR-17823[F] dated 11/04/2022)

ORDER IN
CRL OP(MD). No.6699 of 2022
Date : 11/04/2022

km(CO)

TR(12.04.2022) 2P 5C

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