



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 20.06.2022

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.10880 of 2022

Suresh Balaji

... Petitioner/Petitioner/5th Accused
Vs.

The State Rep by
The Forest Range Officer,
Madurai Forest Range (Wild Life),
Madurai Forest Range Officer,
Madurai.

(In W.L.O.R.No.2 of 2021) ... Respondent/Respondent/Complainant

Prayer:Criminal Original Petition is filed under Section 482 Cr.P.C., to modify the second condition of the order dated 02.06.2022 passed in Cr.M.P.No.2195 of 2022 on the file of the Judicial Magistrate, Vadipatti, insofar as production of sureties from the village of the petitioner is concerned, thereby, either permitting the petitioner to produce his relatives as sureties without insisting solvency certificate or permitting him to produce local sureties before the court below.

For Petitioner	:	Mr.B.Prahalad Ravi
For Respondent	:	Mr.M.Vaikkam Karunanithi Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to modify the second condition of the order dated 02.06.2022 passed in Cr.M.P.No.2195 of 2022 on the file of the Judicial Magistrate, Vadipatti, insofar as production of sureties from the village of the petitioner is concerned, thereby, either permitting the petitioner to produce his relatives as sureties without insisting solvency certificate or permitting him to produce local sureties before the court below.

2. By the order dated 02.11.2021, the learned Judicial Magistrate, Vadipatti, has imposed the condition upon the petitioner that the persons who are giving sureties should be respectable persons in their locality, either Government Servants or elected people representatives or the persons who are having permanent business establishments and the sureties shall file an affidavit by ensuring that the petitioner will not indulge in any other offence in future and he will be available for the entire trial.



3.The grievance of the petitioner is that as per the order of the Court below, the petitioner produced the government sureties namely on R.Vijayan, who is working as conductor in the Government Transport Corporation and one G.Nagammal, who is working as Sanitary Worker in the Chennai Corporation. But, the Court below has refused to accept the said sureties and returned the surrender form on 29.11.2021 by stating that the above sureties produced by the petitioner are not come under the purview of respectable category of Government Servants. Since the petitioner is residing in Chennai, he did not know to anybody and no Government Servant in Madurai and he could not produce such a surety except the above sureties. Hence, he seeks above said modification.

4.The petitioner may move the concerned Court for modification. Depending upon the outcome of the move, further action may be taken.

5.With the above said liberty, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dss

To

1.The Judicial Magistrate,
Vadipatti.

2.The Forest Range Officer,
Madurai Forest Range (Wild Life),
Madurai Forest Range Officer,
Madurai.

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

+1 CC to M/s.B. PRAHALAD RAVI, Advocate (SR-27576[F]
dated 22/06/2022)

Crl.O.P. (MD)No.10880 of 2022

20.06.2022

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