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CrI.R.C.(MD) No.612 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CrI.R.C.(MD)No.612 of 2022

Johnson

... Petitioner/Petitioner

Vs.

**The Inspector of Police,
Arumanai Police Station,
Represented by Public Prosecutor,
Nagercoil,
Kanyakumari District.
(Crime No.114 of 2021)**

... Respondent/Respondent

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records and set aside and modify the first condition alone in the order passed in CrI.M.P.No.3197 of 2022, dated 24.06.2022 on the file of the learned Principal District and Sessions Judge, Kanyakumari Division at Nagercoil.

For Petitioner : Mr.Ramakrishna Dass,N.S.

**For Respondent : Mr.S.Manikandan,
Government Advocate (CrI. side)**



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ORDER

This Criminal Revision Case has been filed seeking modification of the condition imposed by the learned Principal District and Sessions Judge, Kanyakumari District at Nagercoil, made in Crl.M.P.No.3197 of 2022, dated 24.06.2022, directing the petitioner to execute a bond for a sum of Rs. 10,00,000/- with two solvent sureties (solvency certificate to be obtained from the concerned Tahsildar) each for a likesum to the satisfaction of the Judicial Magistrate No.I, Kuzhithurai.

2.The learned counsel for the petitioner would submit that the petitioner finds it very difficulty to get two sureties with solvency certificates to the tune of Rs.10,00,000/- and that the said condition, which is onerous may be modified.

3.The learned Government Advocate (Criminal Side) appearing for the State has not raised any objection.



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4.Considering the facts and circumstances of the case and also taking note of the fact that the condition in directing the petitioner to produce the solvency certificate issued by the Tahsildar, is onerous, this Court is inclined to modify the condition and that the petitioner is directed to execute a bond for a sum of Rs.10,00,000/- with two sureties, each for a likesum to the satisfaction of the learned Judicial Magistrate No.I, Kuzhithurai and the other conditions imposed by the learned Judge shall remain unaltered.

05.07.2022

Index : Yes/No
Internet : Yes/No
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To:-

- 1.The Principal District and Sessions Judge,
Kanyakumari Division at Nagercoil.
- 2.The Inspector of Police,
Arumanai Police Station,
Nagercoil,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

sj1

ORDER MADE IN
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05.07.2022