



CrI.R.C.(MD) No.755 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CrI.R.C.(MD)No.755 of 2022

T.Jain Kingsly

... Petitioner

Vs.

**The State rep.by
The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
Crime No.270 of 2022.**

... Respondent/Complainant

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 the order dated 13.07.2022 made in CrI.M.P.No.3624 of 2022 as far as the first condition is concerned on the file of the learned Principal Sessions Judge, Kanyakumari District at Nageroil.

For Petitioner : Mr.C.Muthu Saravanan,

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



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ORDER

This Criminal Revision Case has been filed against the condition imposed by the learned Principal Sessions Judge, Kanyakumari District at Nageroil, made in CrI.M.P.No.3624 of 2022, dated 13.07.2022, directing the petitioner to execute a bond for a sum of Rs.7,00,000/- 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 vehicle in question is TATA 407; that the petitioner is the second owner, the petitioner finds it very difficulty to get two sureties with solvency certificates to the tune of Rs.7,00,000/- and that the said condition, which is onerous, may be modified.

3.The learned Government Advocate (Criminal Side) appearing for the State would submit that the petitioner is not having any previous case for similar offence and that the vehicle in question was also not involved in any other case. He would further submit that the value of the vehicle is worth about Rs.4 lakhs.



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4.Considering the above facts and circumstances of the case and also taking note of the fact that the condition directing the petitioner to produce two sureties for Rs.7,00,000/- each with solvency certificates 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.2,00,000/- with two sureties, each for a sum to the satisfaction of the learned Judicial Magistrate No.I, Kuzhithurai and the other conditions imposed by the learned Judge shall remain unaltered.

23.08.2022

Index : Yes/No
Internet : Yes/No
das

To:-

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



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K.MURALI SHANKAR, J.

das

ORDER MADE IN
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