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Crl.O.P.No.12801 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2023

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.12801 of 2023

Jamruth Nisha @ Amruth Nisha

... Petitioner

Vs.

State rep. by
The Inspector of Police,
AVS-CCB, Team-II,
Chindatripet, Chennai.
(Crime No.16 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C., pleased to modify the condition that the petitioner shall execute the bond for a sum of Rs.10,000 (Rupees Ten Thousand Only) with two solvent sureties each for a like sum to the satisfaction of learned Judicial Magistrate No.I, Alandur imposed in the order passed by learned Principal Sessions Court at Chengalpattu in Crl.M.P.No.2664 of 2023 dated 02.06.2023.

For Petitioner : Mr.P.Praveen Kumar

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed to modify the condition that the petitioner shall execute the bond for a sum of Rs.10,000 (Rupees Ten Thousand Only) with two blood related solvent sureties each for a like sum to the satisfaction of learned Judicial Magistrate No.I, Alandur imposed in the order passed by learned Principal Sessions Court at Chengalpattu in Crl.M.P.No.2664 of 2023 dated 02.06.2023.

2. The learned counsel for the petitioner submitted that the petitioner was arrested and remanded to judicial custody on 29.04.2023 in Crime No.16 of 2023 for the offences under Sections 3(2)(a), 4(1), 5(1)(a) of ITP Act. Thereafter, the petitioner had filed an application for bail before Principal Sessions Judge, Chengalpattu, in Crl.M.P.No.2664 of 2023 and the learned Judge, by order dated 02.06.2023, had granted bail to the petitioner with certain conditions and one of the condition was that the petitioner has to execute bond for Rs.10,000/- with two blood related sureties. He would submit that the petitioner is a divorcee and she was deserted by her family and that the relatives of the petitioner are not ready to stand as surety. Thereby, he seeks for modification of the said condition.



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3. The learned counsel for the petitioner would also submit that the petitioner has also been directed to surrender her original Indian passport, whereas the petitioner does not have any passport and that the petitioner is ready to file an affidavit to that effect. Hence, he would pray for appropriate orders in this regard.

4. Heard the learned Government Advocate (Crl. Side) appearing for the respondent police.

5. Considering the above facts and circumstances and the submissions of the learned counsel on either side, the condition in respect of blood related sureties imposed by the Principal Sessions Court at Chengalpattu in Crl.M.P.No.2664 of 2023 dated 02.06.2023, **is modify to the effect that the petitioner shall execute bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.I, Alandur.**

6. Since it is stated by the learned counsel for the petitioner that the petitioner does not have any passport, the petitioner shall file an affidavit to that effect before the Court concerned at the time of executing the bail bond.



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7. With the above modification, this Criminal Original Petition stands ordered. The other conditions shall remain unaltered.

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To

1. The Judicial Magistrate No.I, Alandur
2. Principal Sessions Judge, Chengalpattu
- 3.The Inspector of Police,
AVS-CCB, Team-II,
Chindatripet, Chennai.
4. Central Prison for Women
Puzhal.
- 5.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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