



Crl.O.P.No.17873 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17873 of 2023

M.Chandru

.. Petitioner

Versus

State represented by
Inspector of Police,
Erumapatti Police Station,
Namakkal District.
(Crime No.152 of 2023)

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to modify the condition imposed by the learned Judicial Magistrate, Sendhamangalam in the Crl.M.P.No.1608 of 2023, dated 30.06.2023 "2. Among the two sureties one of the surety shall be the family member / blood relative of the accused".

For Petitioner : Mr.T.Dhamodharan

**For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor**



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ORDER

This petition has been filed challenging one of the condition imposed by the Court below while granting statutory bail to the petitioner under Section 167(2) of Cr.P.C., in Crl.M.P.No.1608 of 2023, dated 30.06.2023.

2. Heard Mr.T.Dhamodharan, learned Counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor for the respondent.

3. The petitioner was arrested and remanded to judicial custody on 30.03.2023 in the course of investigation in Crime No.152 of 2023 for alleged offences under Sections 302 and 201 of I.P.C. The petitioner was in judicial custody for more than 93 days and the Final Report was not filed. In view of the same, the petitioner filed an application under Section 167(2) of Cr.P.C., seeking for statutory bail. The Court below allowed the application by imposing certain conditions. The petitioner is aggrieved by the following condition imposed by the Court below:-

"2. Among the two sureties one of the surety shall be the family member / blood relative of the accused."



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4. Taking into consideration the facts and circumstances of this case, the above condition imposed by the Court below shall stand deleted and it will suffice if the petitioner satisfies the first condition imposed by the Court below wherein the petitioner shall execute a bond for a sum of Rs.10,000/- along with two sureties for a like sum each. The Trial Court shall not insist for any Solvency Certificate since the petitioner has been released on statutory bail. The other conditions imposed by the Court below shall stand as it is.

5. This Criminal Original Petition is disposed off in the above terms.

08.08.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

Note : Issue order copy today.

To

1. The Inspector of Police,
Erumpatti Police Station,
Namakkal District.
2. The Public Prosecutor,
High Court of Madras.



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3. The Judicial Magistrate,
Sendhamangalam.



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N.ANAND VENKATESH, J.

grs

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