



WEB COPY



Crl.O.P.No.22025 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.22025 of 2023

Ali Hussain @ Kuttu
S/o.Mohammed Anwar

... Petitioner

Vs.

The Inspector of Police,
D-2, Anna Salai Police Station,
Chennai District.
(Crime No.140 of 2023)

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., to set aside the condition imposed in Crl.M.P.No.20150 of 2023 dated 21.08.2023 passed by Court of Session at Chennai.

For Petitioner : Mr.P.Muthamizh Selvakumar
For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed challenging one of the condition that was imposed by the Court below while enlarging the petitioner on bail.

2. The petitioner was arrested on 25.05.2023 by the respondent police



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in the course of investigation in Crime No.140 of 2023. The investigation has been completed and the final report has been filed before the II Metropolitan Magistrate, Egmore, Chennai and the same is pending in PRC No.122 of 2023. The petitioner filed a bail application before the Court below and the Court below, on considering the facts and circumstances of the case, enlarged the petitioner on bail by order dated 21.08.2023 by imposing certain conditions. The petitioner is aggrieved by the following condition imposed by the Court below:

"(b) the petitioner along with two sureties each are directed to produce solvency certificate to the tune of Rs.1 lakh before the said Magistrate."

3. Heard Mr.P.Muthamizh Selvakumar, learned counsel appearing on behalf of the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Taking into consideration the facts and circumstances of the case, the above condition imposed by the Court below is modified and it shall



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read as follows:

"The petitioner shall execute a bond for sum of Rs.10,000/- along with two sureties among which one of the surety shall produce solvency certificate to the tune of Rs.1,00,000/- before the learned Magistrate and the other surety shall be a blood relative."

The other conditions imposed by the Court below shall stand as it is.

This Criminal Original Petition is disposed of with the above direction.

27.09.2023

Note: Issue today [27.09.2023]

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

rjr/ssr



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N.ANAND VENKATESH,J

rjr/gm

To

- 1.The Court of Session,
Chennai.
- 2.The Inspector of Police,
D-2, Anna Salai Police Station,
Chennai District.
- 3.The Public Prosecutor,
High Court, Madras.

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