



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/06/2023
CORAM

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD). No.10204 of 2023

WEB COPY

Lalusing @ Ajay

... Petitioner/Petitioner

Vs

State rep. By
The Inspector of Police,
Chidambaram Town Police Station,
Cuddalore District.
(Crime No.104/2023).

... Respondent/Respondent

PRAYER :-

This petition has been filed under section 482 of Cr.P.C to call for the records pertaining to the order passed by the learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur, in Crl.M.P.No.2817 of 2023 dated 10.05.2023 and set aside the same and modifying the condition and allow the above Criminal Original Petition.

For Petitioner : Mr.K.M.Karunakaran, Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to set aside the order passed by the learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur in Crl.M.P.No.2817 of 2023 dated 10.05.2023 and to modify the same.

2.The petitioner was granted bail by the learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur in Cr.M.P.No.1933 of 2023 with a condition to execute a bond for a sum of Rs.25,000/- along with two sureties each for like sum to the satisfaction of this Court and out of two sureties, one of the surety shall be blood relation of the petitioner/A3 and the petitioner is directed to appear and sign before the respondent police station daily at 10.00 a.m., until further orders. Since the petitioner's native place is Mohana village, Jhansi District, Uttar Pradesh, he was unable to produce blood sureties. Hence, the petitioner filed a modification petition before the in Crl.M.P.No.2817 of 2023 and the same was modified on 10.05.2023 to the effect that the petitioner shall produce one surety of his close relative instead of blood relative and the other conditions remain unaltered. Since the petitioner's family members



don't have any own property in favour of their name in Tar 1, the petitioner could not produce the close relative sureties. Hence the petitioner is unable to comply with the conditions. Therefore he seeks modification of the said condition.

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

4. Taking into consideration the facts and circumstances of the case and also the submission made by the learned counsel for the petitioner, the condition imposed by the learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur in Crl M.P No.2817 of 2023 dated 10.05.2023 is set aside and the condition imposed on the petitioner in Cr.M.P. No.1933 of 2023 dated 10.04.2023 on the file of the learned Additional District Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur is modified to the effect that 'the petitioner/A3 is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- along with two local sureties each for like sum to the satisfaction of this Court'. All other conditions imposed in the said order shall remain unaltered.

5. This petition is ordered with the above modification.

sd/-

12/06/2023

/ TRUE COPY /

12/06/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MRN

TO

- 1 THE ADDITIONAL DISTRICT JUDGE/PRESIDING OFFICER,
SPECIAL COURT UNDER ESSENTIAL COMMODITIES ACT, THANJAVUR.
- 2 THE INSPECTOR OF POLICE, CHIDAMBARAM TOWN POLICE STATION,
CUDDALORE DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-8525[I] dated 12/06/2023)

ORDER

IN

CRL OP(MD) No.10204 of 2023

Date :12/06/2023

RS/BUC/SAR-(12.06.2023) 2P 6C