



CrI.O.P.No. 1508 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

CORAM

THE HONOURABLE MR. JUSTICE **C.V.KARTHIKEYAN**

CRL.O.P.No.1508 of 2024

Tmt. Kousalya alias Rani

.. Petitioner

Vs.

The State Rep. by
Inspector of Police,
Erode North Police Station,
Erode
(Crime No.487 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 (1) (b) of Cr.P.C to modify the condition imposed by the learned Judicial Magistrate No.1, Erode the petitioner shall execute the one relative surety and another one surety belongs to native of Erode in CrI.M.P.No.20092 of 2023 dated 19.12.2023 and pass orders.

For Petitioner : Mr.N. Palanisamy

For Respondent: Mr.R. Vinothraja
Government Advocate



CrI.O.P.No. 1508 of 2024

ORDER

WEB COPY The petitioner seeks modification of the order dated 19.12.2023 passed by the learned Judicial Magistrate No.1, Erode in CrI.M.P.No.20092 of 2023.

2. While granting bail the learned Judicial Magistrate imposed a condition that the petitioner should execute two sureties, one surety should be a relative and another surety should be a native of Erode. The petitioner is the accused for the offence under Section 379 of I.P.C. I may visualise the predicament that none of the relatives will come forward to execute the sureties, particularly the nature of offence committed by the petitioner. It is also contended that the father and husband of the petitioner had passed away and she is living with her aged mother.

3. Taking into consideration the facts of the case, the condition is modified to the effect that the petitioner is directed to execute any two sureties to the satisfaction of the learned Judicial Magistrate No.1, Erode. The learned Judicial Magistrate must take up the responsibility of testing the sureties.



CrI.O.P.No. 1508 of 2024

4. In view of the above, this Criminal Original petition is ordered.

31.01.2024

smn

To.

1. The Judicial Magistrate No.1, Erode.

2. Inspector of Police,
Erode North Police Station,
Erode.

3. Central Jail, Coimbatore.



WEB COPY



CrI.O.P.No. 1508 of 2024

C.V.KARTHIKEYAN, J.

smn

CRL.O.P.No.1508 of 2024

31.01.2024