



CrI.O.P.No. 1731 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.1731 of 2024

E. Sivathaanu @ Harendra Irwin

.. Petitioner

Vs.

The State Rep. by
Inspector of Police,
Avinashi Police Station,
Tiruppur District
(Crime No.642 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 (1) (b) of Cr.P.C to modify the condition that out of two sureties, one surety should be the blood relative of the petitioner to the effect that any sureties, imposed in order dated 20.11.2023 in E.Crl.M.P.No.3593 of 2023 before Judicial Magistrate, Avinashi and pass orders.

For Petitioner : Mr.N. Ponraj

For Respondent: Mr.R. Vinothraja
Government Advocate



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ORDER

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The petitioner seeks modification of the condition imposed by the Judicial Magistrate, Avinashi in E.CrI.M.P.No.3593 of 2023 vide order dated 20.11.2023.

2. While granting bail the learned Judicial Magistrate imposed a condition that the petitioner should execute two sureties out of which one surety must be blood related surety.

3. The learned counsel for the petitioner had expressed difficulty in convincing his blood relatives to stand as a surety. It is stated that his mother is no more and his father is bedridden and he is not on speaking terms with his brother.

4. 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, Avinashi.

The learned Judicial Magistrate must take up the responsibility of testing



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the sureties.

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

31.01.2024

smn

To.

1. The Judicial Magistrate, Avinashi.

2. Inspector of Police,

Avinashi Police Station,

Tiruppur District

C.V.KARTHIKEYAN, J.



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