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CrI.O.P No.5000 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.5000 of 2024

Raheem Dheen @ Pacha
S/o.Haja Maidheen

... Petitioner

vs.

The State represented by
The Inspector of Police,
AWPS Police Station,
Thiruvarur, Thiruvarur District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the condition No.1 imposed in CrI.M.P.No.394 of 2023 passed by Sessions Court, Fast Track Mahila Court, Thiruvarur, dated 29.11.2023.

For Petitioner : Mr.B.Jawahar

For Respondent : Mr.A.Gopinath
Government Advocate [CrI.side]



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ORDER

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

2. Heard Mr.B.Jawahar, learned counsel for petitioner and Mr.A.Gopinath, learned Government Advocate [Crl.side] appearing for respondent.

3. The petitioner was enlarged on statutory bail by the Court below and while enlarging the petitioner on bail, the Court below imposed certain conditions and the petitioner is aggrieved by the following condition:

"i. The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for like sum to the satisfaction of this Court and one of the surety shall be a blood relative of the petitioner."

4. Learned counsel for petitioner submitted that the mother of the



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petitioner is willing to stand as a surety for the petitioner. However, she does not have any property in her name and the Court below is insisting for property surety.

5. Taking into consideration the fact that the petitioner has been enlarged on statutory bail, such onerous condition cannot be imposed. Therefore, the Court below shall not insist for any property surety in this case. It will suffice if the bond is executed by the petitioner and the two sureties for a sum of Rs.25,000/- that has been fixed by the Court below.

This Criminal Original Petition is disposed of in the above terms.

01.03.2024

Note: Issue today [01.03.2024]

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order/Non-Speaking Order
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N. ANAND VENKATESH, J

gm

To

- 1.The Sessions Court,
Fast Track Mahila Court,
Thiruvarur.
- 2.The Inspector of Police,
AWPS Police Station,
Thiruvarur, Thiruvarur District.
3. The Public Prosecutor,
High Court of Madras, Madras.

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