



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 21.03.2024**

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**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**CRL.O.P No.6696 of 2024**

Saravana Bharathi

...Petitioner

Vs.

State By: The Inspector of Police,  
Malayampalayam Police Station,  
Erode.  
(Crime No.437 of 2020)

...Respondent

**PRAYER** : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the order passed in CrI.M.P.No.520 of 2024 in CrI.M.P.No.1624 of 2023 order dated 09.02.2024 on the file of the Principal District Judge, Erode and thus render justice

For Petitioner : Mr.K.Hemanathan

For Respondents : 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 in CrI.M.P.No.1624 of 2023 by an order dated 09.02.2024.



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2.The petitioner was arrested and remanded to judicial custody in Crime No.437 of 2020 while executing a non-bailable warrant on 26.12.2022. The petitioner filed a bail petition before the Principal Sessions Judge, Erode in CrI.M.P.No.1624 of 2023. Considering the facts and circumstances of the case and also the period of incarceration of the petitioner, the petitioner was enlarged on bail. One of the condition that was imposed by the Court below is extracted hereunder:

*In the result, the petitioner/A10 is ordered to be released on bail on his executing a bond for sum of Rs.10,000/- with two sureties, of which one must be a blood relative and the other must be a person residing within the jurisdiction of Kodumudi Taluk, for the like sum each to the satisfaction of the learned District Munsif cum Judicial Magistrate, Kodumudi, with further conditions.*

3.The petitioner filed a modification petition before the Court below in CrI.M.P.No.520 of 2023 seeking to modify the above condition. The Court below by an order dated 09.02.2024, modified the condition as follows:

*(b)that the petitioner/A9 is hereby directed to execute a bond for sum of Rs.10,000/- with two sureties, of which one must be a blood relative and the other must be a person residing within the jurisdiction of Erode District, for the like sum each to the satisfaction of the learned District Munsif cum judicial Magistrate, Kodumudi*



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4.The petitioner was not able to satisfy even the modified condition and therefore, the present petition has been filed before this Court challenging the condition imposed.

5.When the matter came up for hearing on 20.03.2024, it was brought to the notice of this Court that the investigation has been completed and final report was filed and it was taken on file by the Principal Sessions Judge, Erode in S.C.No.60 of 2023.

6.The learned Additional Public Prosecutor submitted that there are seven cases pending against the petitioner similar in nature.

7.Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner has been suffering incarceration from 26.12.2022 onwards and the investigation itself has been completed in this case, the above condition imposed by the Court below is modified to the extent that the petitioner will execute the bond for a sum of Rs.10,000/- with two sureties each for a like sum and one such surety shall be a Government Servant. All the other conditions imposed by the Court below shall stand as it is.



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**N.ANAND VENKATESH, J**

SSR

8.This criminal original petition is disposed of with the above directions.

**21.03.2024**

Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

SSR

To

1.The Principal District Judge, Erode.

2.The Inspector of Police,  
Malayampalayam Police Station,  
Erode.

3.The Public Prosecutor,  
High Court, Madras.

**CRL.O.P No.6696 of 2024**