



Crl.O.P.No.9554 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.9554 of 2024

Prakash Khadka

...Petitioner/Accused

vs.

The State rep. by
The Inspector of Police,
Neelankarai Police Station
Cr.No.20 of 2024

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 439 (1) (b) Cr.P.C., prayed to modify the condition (i) imposed by this Court in Crl.M.P.No.851/2024 dated 04.04.2024 on the file of Principal Sessions Judge, Chengalpattu.

ORDER

This Petition has been filed to modify the condition passed in Crl.M.P.No. 851 of 2024, dated 04.04.2024 on the file of Principal Sessions Judge, Chengalpattu.

2. The learned counsel for the petitioner submits that from the date of order i.e. on 04.04.2024, the petitioner cannot fetch blood surety and hence he is unable to furnish sureties before the Court. Hence he is seeking modification



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of blood surety to normal surety to the satisfaction of Judicial Magistrate, Alandur instead of the satisfaction of the District Munsif cum Judicial Magistrate, Sholinganallur. The learned counsel further submits his wife is not having any property except there is a document/ discharge summary given by the hospital authorities while she gave birth to a child to show that she is wife of the petitioner.

3. In view of the submissions made by the learned counsel for the petitioner, this Court directs the Trial Court to receive wife as surety by relying discharge summary, if it is in order and also modifies the satisfaction Court instead of District Munsif cum Judicial Magistrate, Sholinganallur to Judicial Magistrate, Alandur. Accordingly, this Criminal Original Petition is disposed of.

18.04.2024

Index : Yes/No
Neutral Citation : Yes/No
dsn

Note to Registry:
Issue order copy by 23.04.2024.



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Copy to :-

1. The Inspector of Police,
Neelankarai Police Station
2. The Public Prosecutor
High Court of Madras,
Chennai – 600 104.



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T.V.THAMILSELVI, J.

dsn

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