



Crl.O.P.(MD)No.305 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.01.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.305 of 2024

Suresh

... Petitioner/Petitioner

Vs.

The Inspector of Police,
Vedasanthur Police Station,
Dindigul District.
Crime No.367 of 2022

... Respondent/Respondent

PRAYER : Criminal Original Petition filed under Section 439(1)(b) r/w 482 of the Code of Criminal Procedure, to modify the condition No.(1) imposed in Vacation Crl.M.P.No.58 of 2023 on the file of the learned Principal District and Sessions Judge, Dindigul, dated 10.05.2023.

For Petitioner	:	Mr.G.Manikandan, Advocate
For Respondent	:	Mr.SS.Madhavan, Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to modify the condition imposed upon the petitioner in Crl.M.P.No.58 of 2023 dated 10.05.2023 on the file of the learned Principal District and Sessions Judge, Dindigul.

2.The learned counsel appearing for the petitioner would submit that the petitioner is arrayed as A6 in Cr.No.367 of 2022, which was registered for the offence



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punishable under Sections 457, 395, 120(B), 109 and 397 of IPC. Therefore, the petitioner filed a bail petition in Crl.M.P.No.58 of 2023 and the same was allowed with a condition to execute a bond along with two blood related sureties each for a like sum of Rs.15,000/- to the satisfaction of the learned Additional District Munsif Cum Judicial Magistrate, Vendasandur and further directed the petitioner should stay at Dharmapuri and appear and sing before the S.H.O. B1, Dharmapuri Town Police Station daily at 10.30 a.m., and 05.30 p.m., until further orders. Thereafter, the petitioner filed a petition to modify the condition imposed on the petitioner in Crl.M.P.No.4507 of 2023 and the same was dismissed by the trial Court without assigning any proper reasons. He would further submit that except the petitioner's mother, no other blood relative is available. Therefore, he prayed to modify the condition imposed by the Court below.

3.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the Court below, after considering all aspects, rightly imposed the condition, which does not warrant any interference by this Court.

4.Considering the facts and circumstances of the case and considering the fact that except the petitioner's mother, no other blood relative is available, this Court is inclined to modify the condition imposed by the Court below. Accordingly, the condition No(1) imposed by the Court below in Crl.M.P.No.58 of 2023 dated



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10.05.2023 is hereby modified to the effect that “the petitioner is ordered to be released on bail on executing a bond along with two sureties, out of which, one shall be the blood related surety, each for a like sum of Rs.15,000/- to the satisfaction of the learned Additional District Munsif cum Judicial Magistrate, Veda sandur.” All other conditions in the said order dated 10.05.2023 shall remain unaltered.

5.In the result, this Criminal Original Petition is allowed.

sd/-

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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, DINDIGUL.

2 THE ADDITIONAL DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VEDASANDUR.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

4 THE INSPECTOR OF POLICE, VEDASANTHUR POLICE STATION,
DINDIGUL DISTRICT.

5 THE INSPECTOR OF POLICE,
S.H.O.B1 DHARMAPURI TOWN POLICE STATION, DHARMAPURI.



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6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.MANIKANDAN, Advocate (SR-448[I] dated 10/01/2024)

ORDER

IN

CRL OP(MD) No.305 of 2024

Date :09/01/2024

RS/JGB/SAR-(11.01.2024) 4P 8C

Madurai Bench of Madras High Court is issuing
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