



CrI.O.P.(MD) No.7663 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.05.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

CRL.O.P (MD) No.7663 of 2024

Francis Fensing Xavier

... Petitioner

Vs.

State rep by,
The Inspector of Police,
Pamban Police Station,
Ramanathapuram.
In Cr.No.109/2023,
Ramanathapuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to set aside dismissal order passed by the Principal Sessions Judge, Ramanadhapuram in CrI.M.P.No.1756/2024 dated 26.04.2024 and consequently modify the 1st condition to execution of bond for Rs.20,000/- with one blood surety and one normal surety instead of normal surety in CrI.M.P.No.648/2024 dated 15.02.2024, on the file of the Principal Sessions Judge, Ramanadhapuram.

For Petitioner : Mr.P.Praveenkumar

For Respondent : Mr.S.Manikandan

Government Advocate [Crl. Side]



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ORDER

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This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking to set aside dismissal order passed by the Principal Sessions Judge, Ramanadhapuram in Crl.M.P.No.1756/2024 dated 26.04.2024 and consequently modify the 1st condition of execution of bond for Rs.20,000/- with one blood surety and one normal surety instead of normal surety in Crl.M.P.No.648/2024 dated 15.02.2024, on the file of the Principal Sessions Judge, Ramanadhapuram.

2.The learned Counsel for the petitioner would submit that the petitioner is not in a position to produce the blood surety since all his blood relatives are against him and nobody is coming forward to stand as a surety. He further submitted that the petitioner is ready and willing to produce any normal surety instead of blood surety. Hence, he seeks for modification of the aforesaid condition.

3.Heard the learned Counsel for the petitioner and the learned Government Advocate [Crl. Side] appearing for the respondent.



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4.Considering the facts and circumstances of the case, the order passed by the learned Principal Sessions Judge, Ramanathapuram, in CrI.M.P.No.648 of 2024 dated 15.02.2024, in condition (i) is modified, to the effect that the petitioner shall execute a bond for a sum of Rs.20,000/- each ***with two normal sureties*** to the satisfaction of the learned District Munsif cum Judicial Magistrate, Rameswaram.

5.With the above directions, this Criminal Original Petition is allowed.

22.05.2024

NCC : Yes/No
Internet:Yes/No
Index:Yes/No
MR



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To

- 1.The learned Principal Sessions Judge,
Ramanadhapuram.
- 2.The Inspector of Police,
Pamban Police Station,
Ramanathapuram.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

MR

ORDER IN
CRL.O.P (MD) No.7663 of 2024

22.05.2024