



CRL MP(MD) No.9244 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Fourth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN
and
The Hon`ble Mr.Justice J.SATHYA NARAYANA PRASAD

CRL MP(MD) No.9244 of 2024
in
CRL A(MD) No.386 of 2024

VARUVALRAJA @ SAMINATHAN @ SAMI ... Petitioner / Petitioner / Appellant

Vs

THE INSPECTOR OF POLICE
THIRUPACHETHI POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.213/2013).

... Respondent / Respondent / Complainant

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition no.(i) passed in Crl.MP(MD)No.4919/2024 in Crl.A(MD)No.386/2024 dated 2/8/2024.

Prayer in CRL A(MD) No.386 of 2024:

To call for the records in S.C.No.77 of 2017 dated 31.08.2023 passed by the learned Principal District and Sessions Judge, Sivagangai and to set aside the same.

Order : This criminal miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/s.G.KARUPPASAMY PANDIYAN, Advocate for the petitioner and of Mr.T.SENTHIL KUMAR, Additional Public Prosecutor on behalf of the Respondent,



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the Court made the following order:-

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The Criminal Miscellaneous Petition has been filed seeking to modify one of the conditions imposed by the Division Bench of this Court, while granting suspension of sentence to the petitioner in Crl.M.P(MD)No.4919 of 2024, by an order dated 02.08.2024. While granting suspension of sentence, as condition No.(i) the Division Bench of this Court had directed that the petitioner could be enlarged on bail on executing a bond for a sum of Rs.25,000/- along with two sureties, of whom, one should be a blood related surety.

2. The learned counsel expresses difficulty in getting consent from any blood relative to stand a surety. It is therefore contended that though the petitioner had obtained an order granting suspension of sentence, it could not be put into effect.

3. Having heard the learned counsel for the petitioner and also the learned Additional Public Prosecutor, the said condition is modified and the words blood relative surety is deleted, but the petitioner should produce two sureties for Rs.25,000/- each and such sureties should be tested to the satisfaction of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai, Sivagangai District.

4. Registry to issue a fresh order copy by deleting the word blood surety



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in condition No.(i).

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5. However, we would like to place on record that if the petitioner is to change his address during the period of his suspension, he should immediately inform the same to the Inspector of Police, Thirupachethi Police Station, Sivagangai District.

6. Accordingly, this Criminal Miscellaneous Petition stands allowed.

sd/-
04/09/2024

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/09/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RM

To

1.The Principal District and Sessions Judge,
Sivagangai.

2.The Additional District Munsif cum Judicial Magistrate,
Manamadurai, Sivagangai District.

3.Do through the Chief Judicial Magistrate,
Sivagangai District.

4.The Inspector of Police,
Thirupachethi Police Station,
Sivagangai District.



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5.The Superintendent,
Central Prison, Madurai.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Inspector of Police,
Thovalai Police Station,
Thovalai.

+1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-10903[I] dated
05/09/2024)

ORDER
IN
CRL MP(MD) No.9244 of 2024
in
CRL A(MD) No.386 of 2024
Date :04/09/2024

ED/ GS /SAR- (10/09/2024) 4P / 9C

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