



Crl.O.P.No.3125 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3125 of 2025

1. K. Kumarasamy

2. K. Sivaraman

Petitioner(s)

Vs

State Rep By,
The Inspector Of Police,
North Police Station, Erode.
Crime No.566/2024.

Respondent(s)

This criminal original petition has been filed under Section 483(1)(b) of BNSS to modify the condition in para No.IV imposed on the petitioners vide order dated 23.01.2025 in Crl.M.P. No.33 of 2025 in connection with Crime No.566 of 2024 passed by the Principal District and Sessions Judge, Erode.

For Petitioner(s) : M/s. S.Suresh

For Respondent(s) : Mr. S. Balaji,
Government Advocate (Crl.Side)

ORDER



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This criminal original petition has been filed seeking to modify the condition in para No.IV imposed on the petitioners vide order dated 23.01.2025 in Crl.M.P. No.33 of 2025 in connection with Crime No.566 of 2024 passed by the Principal District and Sessions Judge, Erode.

2. Learned counsel appearing for the petitioners would submit that the petitioners were granted anticipatory bail in Crl.M.P.No.33 of 2025 dated 23.01.2025 in connection with Crime No.566 of 2024; that while granting anticipatory bail, the learned Principal District and Sessions Judge imposed one of the condition that the petitioners/ A1 and A2 shall appear before the respondent police daily twice at 10:00 am and 5:00 pm and shall sign, from the next date of their executing the bond, until further orders; that the petitioners herein are father and son, the first petitioner herein is a senior citizen and having various health issues and the second petitioner herein is working in Jayam Automotives (P) Ltd., Coimbatore, hence, he prayed to modify the aforesaid condition imposed on the petitioners.

3. Learned Government Advocate (Crl. Side) appearing for the respondent police submits that the petitioners herein borrowed a sum of



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Rs.7,00,000/- from the defacto complainant by issuing forged cheques and cheated; that while the same was questioned by the defacto complainant, the petitioners threatened the defacto complainant with dire consequences; that based upon the complaint of the defacto complainant, a case has been registered against the petitioners for the offences under Sections 296(b), 318(4) and 351(2) of BNS; that thereafter, the petitioners approached the Principal District and Sessions Court for anticipatory bail and the same was allowed on 23.01.2025, however, the petitioners had not complied with the condition of execution of sureties, therefore, opposed for this modification petition.

4. In reply, the learned counsel for the petitioners submits that the time limit imposed on the petitioners for execution of sureties with bond and to surrender before the learned Judicial Magistrate No.I, Erode has been expired on 06.02.2025, hence, prayed to grant extension of time for execution of sureties and to surrender before the learned Judicial Magistrate concerned.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.



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SUNDER MOHAN, J.

stn

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsels on either side, the fact that the petitioners have not executed the sureties in time, **this Court is not inclined to modify the condition imposed on the petitioners as prayed for, however, the petitioners are granted two weeks time from today to execute the sureties, as per the order dated 23.01.2025 in Crl.M.P.No.33 of 2025.**

7. Accordingly, this criminal original petition is disposed of.

07.02.2025

stn

To

1. State Rep By The Inspector Of Police
North Police Station, Erode,
Crime No.566/2024.

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