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CRL O.P. No.9945 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.9945 of 2025
in Crl. M.P. No.737 of 2025

Radhakrishnan S/o. Raman ... Petitioner / Accused

Vs

State rep. by:-

The Inspector Of Police,
B1 North Beach Police Station,
Chennai. ... Respondent
[Cr. No.1854 of 2012]

PRAYER: - The Criminal Original Petition is filed under Section 483(1)(b) of B.N.S.S., praying to modify the condition that "the petitioner is ordered to be granted on bail with condition no.7 that the sureties shall produce the Fixed Deposit receipts to the tune of Rs.10,000/- existing in their name to show their eligibility to stand as a surety before this Court and the F.D. shall be for a minimum period of one year, before any nationalized bank or any post office" imposed in Crl. M.P. No.737 of 2025 dated 27.01.2025 in connection with the case

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in Cr. No.1854 of 2012 pending on the file of the respondent police.

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For Petitioner : Mr.V. Karthick

For Respondent : Mr. S. Balaji
Government Advocate
[Criminal side]

ORDER

This petition has been filed to modify the condition imposed by the learned IV Additional Sessions Judge, Chennai "that the sureties shall produce the Fixed Deposit receipts to the tune of Rs.10,000/- existing in their name to show their eligibility to stand as a surety before this Court and the F.D. shall be for a minimum period of one year, before any nationalized bank or any post office" imposed in Crl. M.P. No.737 of 2025 dated 27.01.2025 in connection with the case in Cr. No.1854 of 2012 pending on the file of the respondent police.

2. The petitioner, who was released on bail by the learned IV Additional Sessions Judge has filed this petition seeking modification of the said condition directing the sureties offered by the petitioner to produce FD receipts to the tune of Rs.10,000/-.

3. The learned counsel appearing for the petitioner would submit



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that pursuant to the NBW issued by the trial Court on 11.06.2024, the petitioner was arrested on 14.12.2024; and that though he was granted bail by the learned Sessions Judge on 27.01.2025, he is still in jail, because of the onerous condition imposed and sought for setting aside the same.

4. Heard the learned Government Advocate (Criminal side) appearing for the respondent police.

5. Admittedly, the petitioner is in custody from 14.10.2024. Though bail was granted on 27.01.2025, the petitioner is still in jail as he was unable to comply the condition no.6(7) which reads as follows:-

"that the sureties shall produce the original tax receipts stands in their name or the sureties shall produce the Fixed Deposit receipts to the tune of Rs.10,000/- existing in their name to show their eligibility to stand as a surety before this Court and the F.D. shall be for a minimum period of one year, before any Nationalized Bank or any post office".

The petitioner is unable to produce two sureties, who can produce FD receipts in their names.



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6. Since the said condition is onerous, this Court is inclined to set aside the said condition and the other conditions imposed in Crl. M.P. No.737 of 2025 dated 27.01.2025 remain unaltered.

15.04.2025

mjs

To

- 1.The IV Additional Sessions Judge, Chennai.
- 2.The Public Prosecutor, High Court, Madras.
3. The Inspector Of Police, B1 North Beach Police Station, Chennai.

SUNDER MOHAN. J.,

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