



Crl.OP.No.30861 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.30861 of 2024

Kishanlal

... Petitioner

Vs.

The State Rep by its
The Inspector of Police,
Kodavasal Police Station,
(Crime No.154 of 2019)

... Respondent

PRAYER: 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 released on bail on executing a bond for a sum of Rs.10,000/- with two sureties among which one has to be a blood surety for the like sum to the satisfaction of this Court in Crl.MP.No.103 of 2024 dated 21.08.2024 by the District Munsif cum Judicial Magistrate, Kodavasal.

For Petitioner : Mr.G.Darshan

For Respondent : Mr.S.Santhosh



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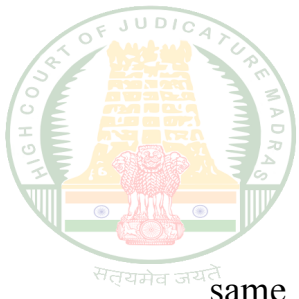
Government Advocate (Crl.Side)

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ORDER

This Criminal Original Petition has been filed to modify the condition imposed in Crl.M.P.No.103 of 2024 on the file of the District Munsif cum Judicial Magistrate, Kodavasal by its order dated 21.08.2024.

2. The learned counsel for the petitioner would submit that he was arrested in Cr.No.154 of 2019 for the offence under Section 380 of IPC. The petitioner was arrested and remanded to judicial custody on 18.06.2024. The petitioner filed a petition for bail and the District Munsif cum Judicial Magistrate, Kodavasal, by an order dated 21.08.2024, granted bail to the petitioner by imposing one of the condition, *“that the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- with two sureties one surety must be blood relative of the petitioner/accused to satisfaction of this Court”*. Aggrieved by the same, the petitioner filed a petition before the Principal Sessions Judge, Thiruvavarur, challenging the condition and the



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same was dismissed by an order dated 28.10.2024. Therefore, the present petition has been filed before this Court.

3. The learned counsel for the petitioner belongs to Bihar and there are no relatives for the petitioner staying at Thiruvavur. Therefore, it is not possible for the petitioner to produce one blood surety as directed by the Court below. Therefore, the learned counsel would submit that inspite of an order of bail granted in favour of the petitioner, the petitioner is not in a position to come out on bail and, therefore he seeks modification of the condition imposed in Crl.M.P.No.103 of 2024.

4. In view of the above submission, the condition imposed by the learned District Munsif cum Judicial Magistrate, Kodavasal in Crl.MP.No.103 of 2024 dated 21.08.2024 is modified to the effect that “the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- with two sureties to satisfaction of this Court”. All other conditions remain unaltered. Hence, this Criminal Original Petition is ordered.



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drl



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A.D.JAGADISH CHANDIRA, J.

drl

To

1. The District Munsif cum Judicial Magistrate,
Kodavasal.
2. The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
3. The Superintendent,
Central Prison, Cuddalore.
3. The Public Prosecutor,
High Court, Chennai.

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