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Crl.O.P.No.29395 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.29395 of 2025

Bagar Ali

... Petitioner

Vs.

The State Rep. by,
The Inspector of Police,
C.B.C.I.D. Nagapattinam Police Station,
Mayiladuthurai District.
(Crime No.01 of 2022)

... Respondent

PRAYER : Criminal Original Petition filed under Section 486(1) (b) of Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to modify the condition imposed in Para No.7(1) the accused shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (Blood Surety and Government Employee in Mayiladuthurai Jurisdiction Surety) each for a like sum to the satisfaction of this Court of the order passed in Crl.M.P.No.2506 of 2025, dated 25.09.2025.

For Petitioner : Mr.T.Elumalai
For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner seeking to modify the condition imposed in Para No.7(1) the accused shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (Blood Surety and Government Employee in Mayiladuthurai Jurisdiction Surety) each for a like sum to the satisfaction of this Court of the order passed in Crl.M.P.No.2506 of 2025, dated 25.09.2025.



2.The learned Chief Judicial Magistrate. Mayiladuthurai while granting bail to the petitioner in C.M.P.No.2506 of 2025 dated 25.09.2025, imposed the condition in Para 7 (1) as follows:

“The accused shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (Blood Surety and Government Employee in Mayiladuthurai Jurisdiction Surety) each for a like sum to the satisfaction of this Court.”

3.This Court is of the view that directing the petitioner to execute a Government employee as surety is onerous one and it is a settled law that the bail condition shall not be onerous and it must be reasonable. In this case, asking the accused, who was in custody, to ask him to produce government employee as surety is not necessary. Hence, I am inclined to modify the same as follows:

“The accused shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Chief Judicial Magistrate, Mayiladuthurai”.

The other conditions imposed by the petitioner in CrI.M.P.No.2506 of 2025 dated 25.09.2025 shall remain intact.

4. With the above modification, this Criminal Original Petition is ordered.

29.10.2025

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To

1. The Inspector of Police,
C.B.C.I.D. Nagapattinam Police Station,
Mayiladuthurai District.

2. The Public Prosecutor,
High Court of Madras.

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K.RAJASEKAR, J.

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