

CRL OP(MD). No.9475 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Madhavan,

S/o.Malaisamy,

... Petitioner/ Accused

Vs

The State of Tamilnadu

Rep. by the Inspector of Police,

Koodal Pudur Police Station,

Madurai District.

(Cr.No.302/ 2023).

... Respondent/ Complainant

For Petitioner : Mr.S.Suresh

Advocate.

For Respondent : Mr.M.Karunanithi

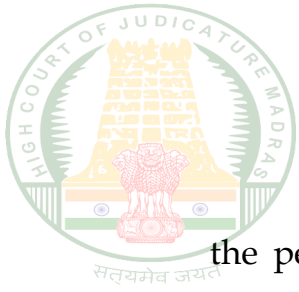
Government Advocate (Crl.Side)

PETITION FOR MODIFICATION Under Sec.528 of BNSS.

PRAYER :- To modify the condition imposed on the petitioner by order, dated 07.07.2023, passed in Crl.M.P.No.3815 of 2023 along with Crl.M.P.No.5317 of 2023 dated 20.09.2023 on the file of the Principal Sessions Judge, Madurai.

ORDER : The Court Made the following order :-

This petition has been filed to modify the condition imposed on

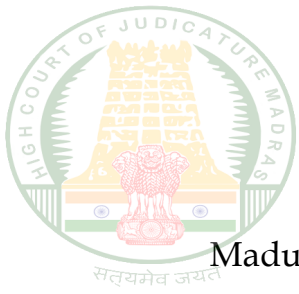


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the petitioner in Crl.M.P.No3815 of 2023 dated 07.07.2023 along with Crl.M.P.No.5317 of 2023 dated 20.09.2023 on the file of the Principal Sessions Judge, Madurai.

2. The learned counsel for the petitioner submitted that the learned Principal Sessions Judge, Madurai had granted bail to the petitioner on 07.07.2023 in Crl.M.P.No.3815 of 2023, with a condition to execute a bond for Rs.10,000/- along with two sureties for a like sum each to the satisfaction of the Judicial Magistrate No.IV, Madurai and other conditions. To modify the said order, the petitioner had filed a modification petition before the learned Principal Session Judge, Madurai in Crl.M.P.No.5317 of 2023. The trial Court after hearing both sides, on 20.09.2023, ordered the said modification petition and modified to the effect that the petitioner shall execute a bond for Rs. 10,000/- along with one surety for a like sum to the satisfaction of Judicial Magistrate No.IV, Madurai.

2.1. Again, to modify the said order, the petitioner has filed a modification petition before the learned Principal Session Judge,



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Madurai in Crl.M.P.No.345 of 2025. The trial Court after hearing both sides, on 24.01.2025, dismissed the said modification petition. Now, the petitioner has approached this Court by filing this present modification petition to modify the condition imposed by the learned Principal Sessions Judge, Madurai.

3. The learned Counsel for the petitioner further submits that the petitioner could not arrange sureties and he may be released on executing own bond. The petitioner is in judicial custody from 13.04.2023. Hence, he prays to modify the condition imposed by the trial Court.

4. The learned Government Advocate (Crl.Side) would submit that the trial Court already granted bail to the petitioner by imposing certain conditions. But, the petitioner without complying the said order, filed the present petition for modification and seeks that he may be released on executing own bond. In this case, already the trial was commenced, P.W.1 to P.W.12 were examined by the trial Court and the Trial will be completed within a short period. At this time, the



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petitioner has to face the trial. Hence, he strongly opposed and prayed to dismiss the present petition.

5. Considering the gravity of offence and considering the fact that already the trial Court granted bail to the petitioner by imposing certain conditions, the petitioner without complying the said conditions, filed this present petition to modify the condition that the petitioner may be released on own bond, already the trial was commenced, at this stage this Court is not inclined to allow this Criminal Original Petition.

6. Accordingly, this Criminal Original Petition is dismissed.

(P V M J)
18.06.2025

gvn



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To :

1. The Principal Sessions Judge,
Madurai.
2. The Inspector of Police,
Koodal Pudur Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

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ORDER
in
CRL OP(MD). No.9475 of 2025

Dated : 18/06/2025