

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
CUDDALORE DISTRICT, CUDDALORE

Present: THIRU. S. UTHAMARAJ, B.A., B.L.,
Principal Sessions Judge,
(Full Additional Charge),
Cuddalore.

Thursday, the 21st day of March 2024

CrI. Misc. Petition No. 2060/2024

Chinnadurai, age 36, S/o. Governor >> Petitioner/Accused

.Vs.

S.H.O. Nellikuppam P.S.,
Cr.No. 368/2023 >> Respondent/Complainant

This petition is coming for hearing before me on this day in the presence of Thiru.N.Radha, Advocate for the petitioner/Legal Aid Defense Counsel and of Public Prosecutor for the respondent and this Court made the following

ORDER

Heard both sides.

This petition is filed U/s. 439(1)(a) of Cr.P.C. to modify the existing condition passed in CrI.M.P.No. 1379/2024, dated 22.02.2024 by this Court with condition that the Petitioner/ Accused was directed to produce anyone surety instead of own bond.

The learned Counsel for the Petitioner/Accused has contended that the relative of the Petitioner/Accused did not come forward to stand as surety for the above said accused and he is treated as orphan and who is being under judicial custody for the past 157 days in Central Prison Cuddalore. As per the direction issued by the Hon'ble Apex Court in SMWP (Criminal) No.4/2021, dated 31.01.2023 reported in Live LAW(SC) 76, he prays to modify this Court condition and to release the Petitioner/Accused on Own bond instead of anyone surety.

The learned Public Prosecutor has contended that suitable orders may be passed.

Considering the submissions made by both sides and accepting the reasons projected by the Petitioner/Accused and considering the facts and circumstances, this court is modified the earlier conditions imposed as **“the Petitioner/Accused is directed to execute own bond for a sum of Rs.10,000/- before the Superintendent, Central Prison, Cuddalore and after releasing on bail, the Petitioner/Accused is directed to execute a bond for a sum of Rs.10,000/- (Rupees Ten thousands only) with two sureties each for the like-sum to the satisfaction of the Learned Judicial Magistrate, Additional Mahila Court, Cuddalore within 15 days and if the Petitioner fails to furnish sureties within 15 days of his release on bail, the Learned Judicial Magistrate, Additional Mahila Court, Cuddalore shall take appropriate steps to secure the Petitioner/Accused.”** instead of anyone surety.

Hence this petition is allowed accordingly.

Pronounced by me in Open Court, this the 21st day of March 2024.

Principal Sessions Judge,
(Full Additional Charge),
Cuddalore.

To : The Judicial Magistrate, Additional Mahila Court,
Cuddalore. }
Copy to : S.H.O. Nellikuppam P.S. } Through
The Superintendent, Central Prison, Cuddalore } E-Mail only