

(2018) 01 MAD CK 0501
In the Madras High Court
Case No : 67 of 2018

Saravanakumar

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 05-01-2018

Acts Referred:

[Indian Penal Code, 1860](#), [Section 397](#),
[Section 392](#), [Section 506\(ii\)](#) -
Robbery or dacoity, with attempt to cause death or grievous hurt - Punishment for robbery - Punishment

Citation : (2018) 01 MAD CK 0501

Hon'ble Judges : R.Pongiappan

Bench : Single Bench

Advocate : R.Venkatesan, K.S.Duraipandian

Final Decision : Dismissed

Judgement

1. This Criminal Original Petition has been filed to modify the condition imposed by the learned Principal District and Sessions Judge, Virudhunagar

District at Srivilliputhur, dated 13.12.2017, in Cr.M.P.No.4254 of 2017, with regard to execution of 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 learned Judicial Magistrate No.I, Virudhunagar and on further

condition that the petitioner shall report before the respondent police station daily at 10.30 a.m. and 5.30 p.m. for 30 days.

2. The counsel for the petitioner submitted that the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur failed to

consider the fact that the petitioner has been falsely implicated in Crime No. 236 of 2017 and also failed to consider that the petitioner's family

members are depending upon the petitioner's assistance and he is the only

breadwinner of his family.

3. The learned Additional Public Prosecutor submitted that the condition imposed by the learned Principal District and Sessions Judge,

Virudhunagar District at Srivilliputhur, dated 13.12.2017, in Cr.M.P.No.4254 of 2017 is a normal one and therefore, modification of the condition

is not necessary.

4. Heard both sides.

5. On a perusal of the materials placed before me, it appears that while passing orders in Cr.M.P.No.4254 of 2017, the learned Principal District

and Sessions Judge, Virudhunagar District at Srivilliputhur, imposed the following conditions:

""The petitioner/accused is ordered to be released on bail on his executing a bond for Rs. 10,000/- with two sureties for like sum

each to the satisfaction of the learned Judicial Magistrate No.I, Virudhunagar and on further condition that the accused after being

released on bail should report before the respondent daily at 10.30 a.m. and 5.30 p.m. for 30 days and co-operate for investigation

that the petitioner should not tamper with evidence or witnesses either during investigation or trial and that the petitioner should not

abscond either during investigation or trial.""

Now, the petitioner herein filed this Criminal Original Petition for modifying the abovesaid conditions.

6. Considering the fact that the case has been registered against the petitioner for the offences punishable under Section 392 r/w. 397 and 506(ii)

IPC, this Court finds that the conditions imposed by the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur, dated

13.12.2017, in Cr.M.P.No.4254 of 2017 are not an exceptional one and the same do not require any modification. Hence, this Criminal Original

Petition is dismissed.