Sl. No. 103

R.O.C.No.849-A/2015/F1 **Dated: 23/02/2015**

From

C.Kumarappan, B.Sc., B.L.,
Officer on Special Duty (IT-cum-Statistics)
High Court of Madras,
Chennai-104.

25 FEB 2015

To

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Sir/Madam,

Sub: High Court's Order in Crl.O.P.(MD)No.23509/2014, dated 23/12/2014 - Directed to circulate to all the Criminal Courts - Copy communicated - Reg.

Ref: High Court's Order in Crl.O.P.(MD)No.23509/2014, dated 23/12/2014 passed by Hon'ble Thiru Justice S.Vaidyanathan.

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As directed, I am to enclose herewith a copy of High Court's Order in Crl.O.P.(MD) No.23509/2014, dated 23.12.2014, for reference.

Sir/Madam,

Yours faithfully

OFFICER ON SPECIAL DUTY
(IT-CUM-STATISTICS)

Ref: High Court's Order in Crl.O.P.(MD)No.23509/2014, dated 23/12/2014 passed by Hon'ble Thiru Justice S.Vaidyanathan.

To

1. All the Principal District & Sessions Judges.
2. The Principal Judge, City Civil Court, Chennai-104
3. The District Judge-cum-Chief Judicial Magistrate, The Nilgiris at Uthagamandalam
4. The Chief Metropolitan Magistrate, Egmore, Chennai-8.
5. All the Chief Judicial Magistrates.

} With a request to communicate the Judgment to all the Judicial Officers under their control/unit.

Endt. R.No. 2841, dt. 25.2.15
Copy communicated to all the Judicial officers in Tiruchirappalli District for reference.

District Court, Tiruchirappalli dt. 25.2.2015

D.No:1406
26/02/15

Principal District Judge
Tiruchirappalli.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23/12/2014

196-A

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

CRL.O.P.(MD)No.23509 of 2014

Karuppasamy ... Petitioner / Accused no 2

Vs

State
rep. By

1. The Sub-Inspector of Police
   SIPCOT Police Station
   Tuticorin
   Tuticorin District. (Cr No. 273/12)

2. The Sub-Inspector of Police
   Pudhukottai Police Station
   Tuticorin District. (Cr No 310/12)

3. The Sub-Inspector of Police
   South Police Station
   Tuticorin District. ... Respondents
   (Cr No. 575/11, 468, 626, 629, 630, 632 of 2014)

PRAYER: Petition is filed under Section 482 of the Code of Criminal

Procedure to modify the order imposed in Crl.M.P.Nos.5929/2014,

5933/2014, 5932/2014, 5934/2014, 5902/2014, 5930/2014, 5931/2014, 5935/2014 by the Judicial Magistrate No.1, Tuticorin on 28/11/2014.

For petitioner ... Mr.S.Senthil Sankara Nathakumar

For respondents ... Mr.P.Kandasamy,
Government Advocate
(Criminal Side)

ORDER

This Criminal Original Petition has been filed praying to modify the order imposed in Crl.M.P.Nos.5929/2014, 5933/2014, 5932/2014, 5934/2014, 5902/2014, 5930/2014, 5931/2014, 5935/2014 by the Judicial Magistrate No.1, Tuticorin on 28/11/2014.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondents.

3. According to the petitioner, the Police have registered various cases and they were arrested and remanded to judicial custody. As there are eight cases pending and that in the order of granting bail, the Magistrate insisted that they should produce two sureties for each case, the petitioner is unable to produce sixteen sureties to comply with the condition. The petitioners have come with wrong presumption that the Magistrate have ordered sixteen different sureties. Each order is separate and in the conditional bail, the accused will have to produce two sureties in each case. The same two sureties can be the sureties in other seven cases also. No Court will insist that the very same sureties should not be a surety in other cases and the Magistrate has also not stated so. Hence under the wrong presumption, the petitioner has come forward with the present petition.

different sureties. Each order is separate and in the conditional

4. I find there is no reason to modify the order which is the subject matter, as this Court hopes that the Magistrate will accept the very same two sureties for all the ~~eight~~ eight cases. In case, he insists

S.VAIDYANATHAN,J

mvs.

different sureties numbering sixteen, that is wrong and which is not a case here. The Registry is directed to forward this order to all the Criminal Courts in Tamil Nadu to avoid misconception of the conditions on the part of the litigants.

5. This Criminal Original Petition is ordered accordingly.

23/12/2014

mvs.

Index: Yes/No

website: yes/No

To

1. The Judicial Magistrate No.I, Tuticorin.
2. The Sub-Inspector of Police, SIPCOT Police Station. Tuticorin District.
3. The Sub-Inspector of Police Pudhukottai Police Station , Tuticorin District.
4. The Sub-Inspector of Police South Police Station, Tuticorin District.

Assistant Registrar 12/1/15

RECEIVED 12 JAN 2015 Madurai Bench of Madras High Court Madurai

Crl.O.P.(MD) No.23509 of 2014

Corrections Carried out and file Transferred To "FinalJud"