

IN THE COURT OF THE JUDICIAL MAGISTRATE NO.II, METTUR

**Present : Thiru.D.Myilswamy, B.Com., B.L.,
Judicial Magistrate No.II,
Mettur.**

Wednesday, the 15th day of October – 2025

MP.1/2025 in CC No.134/2023

Sibila (aged about 30 years)
D/o.Umar,
Tharippayil House,
Eranhimangad,
Akampadam,
Eranhimangad,
Malappuram, Kerala 679 329.

.... **Petitioner/Accused**

//Vs//

Hamsa, S/o.Kunhavarani Haji,
Temporarily residing at
Maha Complex, Salme Main Road, Mecheri

.... **Respondent / Complainant**

Having heard this application in the presence of **Mr.J.Prabahar**, the learned counsel for the accused and **Mr.M.Muthukumaran**, the learned counsel for the complainant and having consideration of the said application till date, this court on merit doth the following:

ORDER

Heard. Records perused. The accused had filed application U/s 480 BNSS seeking for bail and on consider the period of incarceration the bail was granted and imposed condition to produced the local sureties. Still the accused is in custody and represent either through VC and in person during remand extention to modify the condition. The petitioner/Accused filed application seeking condition modification as represented.

The respondent side strongly objected and filed objection stating that accused filed joint memo and agreed to pay amount of Rs.24,00,000/- within 30.09.2023, later accused not responded to comply as agreed and warrant was issued. After execution of warrant still not comply as agreed. The accused have residence at Kerla and lot of complication to execute the warrant, hence seek for dismissal.

By considering the period of incarceration and the accused is female person, she represented only to settle the payment after she come out from custody then only make arrangement to settle the payment. Further, complication to obey the court order while imposing condition and ready to settle the case as quick as possible when she released from custody. Now, the accused is in custody from 13.08.2025 which calculated more than 60 days and the case is summon case. To execute the warrant under complication is not a matter to decide the application and the responsibility lie on the police to execute the warrant. All those things to settle the payment only after released from custody is considerable. Hence, modify the condition as followed:

The accused shall execute bond for a sum of Rs.10,000/- with two sureties for the like sum each. Hence hereby modify to produce local sureties. The other condition is not modified.

Directly dictated to Typist, typed by her in the Computer and corrected by me and pronounced in open court on 15th day of October 2025.

(Sd/-D.Myilswamy)

**Judicial Magistrate No.II,
Mettur.**