

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.25515 of 2015

S.Vijayakumar .. Petitioner

Vs

State by  
Inspector of Police,  
Chengalpattu Police Station  
Chengalpattu District. .. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to exempt the petitioner from appearing before the Inspector of Police, Chengalpattu Town Police Station as per order dated 25.08.2015 made in Crl.M.P.No.3129 of 2015 on the file of the Judicial Magistrate No.I, Chengalpattu from 08.10.2015 to 22.10.2015.

For Petitioner : Mr.B.Kumarasamy  
For Respondent : Mr.C.Emalias  
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to exempt the petitioner from appearing before the Inspector of Police, Chengalpattu Town Police Station as per order dated 25.08.2015 made in Crl.M.P.No.3129 of 2015 on the file of the Judicial Magistrate No.I, Chengalpattu from 08.10.2015 to 22.10.2015.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3. It is seen that this petitioner was initially arrested by the Inspector of Police, Central Crime Branch, Team No.II, Vepery, Chennai in Crime No.298 of 2015 and while he was in judicial custody, he was placed under formal arrest by the Inspector of Police, Chengalpattu Town Police Station in Crime No.534 of 2015. This Court granted bail to this petitioner in Crime No.298 of 2015 in Crl.OP.No.23943 of 2015 on 06.10.2015, on condition that he shall appear before the respondent/Police (Central Crime Branch, Team-II, Vepery, Chennai) daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for the purpose of investigation.

4. It is also seen that this petitioner was granted bail in Crime No.534 of 2015 by the learned Judicial Magistrate No.I, Chengalpattu in C.M.P.No.3129 of 2015 on 25.08.2015, on condition that he should appear before the Inspector of Police, Chengalpattu Town Police Station, daily at 10.00 a.m., until further orders and thereafter as and when required.

5. In the considered opinion of this Court, this petitioner cannot comply with both the conditions, since Chengalpattu is about 50 kms. away from Chennai and he cannot be present at both the places at the same time. Hence, the condition imposed by the learned Judicial Magistrate No.I, Chengalpattu in C.M.P.No.3129 of 2015, directing the petitioner to appear before the respondent Police (Inspector of Police, Chengalpattu Town Police Station), at 10.00 a.m. every day, is suspended for a period of two weeks, to enable the petitioner to comply with the bail order in CrI.OP.No.23943 of 2015. After the petitioner complies with the order passed by this Court in CrI.OP.No.23943 of 2015, he shall comply with the order passed by the learned Judicial Magistrate No.I, Chengalpattu in C.M.P.No.3129 of 2015.

With the above directions, this Criminal Original Petition is closed.

sd/-

ASSISTANT REGISTRAR(CO)

/ TRUE COPY /

SUB-ASSISTANT REGISTRAR

ds

To:

1.The Inspector of Police,  
Chengalpattu Police Station  
Chengalpattu District.

2.The Judicial Magistrate No.I  
Chengalpattu.

3 Thro' the Chief Judicial Magistrate  
Chengalpattu

4.The Public Prosecutor  
High Court, Madras.

+1 CC to Mr.K.B.Kumarasamy Advocate. SR.NO. 56200

CrI.OP No.25515 of 2015

CO-SK

JD 14/10/2015

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