

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2015

CORAM

THE HONOURABLE MR.JUSTICE P. DEVADASS

CRL.OP.No.2859 of 2015

K. Balamurugan

2.K. Rajasekaran

3.B. Kalaiyarasi

..Petitioners

Vs.

The State Rep.by

Sub Inspector of Police,

B-3, Taluk Police Station,

Kancheepuram,

Kancheepuram District

(Cr.No.1091/2014).

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code to modify the conditions imposed on the petitioners vide order dated 19.01.2015 made in CMP.No.36 of 2015 on the file of the Court of Sessions Judge, Sessions Court, No.II, Kancheepuram.

For Petitioner : M/s.T.P. Prabakaran

For Respondent : Mr.K. Prabakar
Government Advocate

ORDER

Petition for modification of the bail condition imposed in CMP.No.36 of 2015 dated 19.01.2015 by the Sessions Court No.II, Kancheepuram.

2. Petitioners were alleged to have committed offences under Sections 447, 294(b), 506(ii) IPC. The highest offence is under Section 506(ii) IPC.

3. The learned Sessions Judge was very gracious and magnanimous in granting them anticipatory bail however directed the petitioners to appear before the Inspector of Police, Taluk Police Station, Kancheepuram, daily at 10 a.m. until further orders.

4. Even as per the complainant, there is no allegation that at the time of alleged occurrence, petitioners wielded any legal weapons even atleast a stick. There is no allegation that the petitioner will flee away from justice nor there is no allegation they have the propensity to threaten the witnesses.

5. In the facts and circumstances of the case, imposing such a condition is unnecessary, uncalled for. It is oppressive in nature and it is also in a way against human dignity, it is a matter of common knowledge and experience that is nobody loves to go to a police station.

In these circumstances, in the anticipatory bail order passed by the learned Sessions Judge, No.II, Kancheepuram in CMP.No.36 of 2015, the condition to report before the Inspector of Police, Taluk Police Station daily at 10 a.m. until further order is deleted. Other conditions remain unaltered. Fifteen days from the date of receipt of modification order copy of this court is granted to execute the bail bond.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gv

1. The Sessions Judge, II Kancheepuram
 2. -do- Principal Sessions Judge, Kancheepuram.
 3. Inspector of Police, Taluk Police Station, Kancheepuram.
 4. The Sub. Inspector of Police, B-3, Taluk Police Station, Kancheepuram District.
 5. The Public Prosecutor, High Court, Madras.
- + 1 cc to Mr.T.P. Prabakaran, Advocate SR.435

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RSY (CO)

EU 17.02.15