

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2015

CORAM:

The HON'BLE MR.JUSTICE R.S.RAMANATHAN

CRL.O.P.No.8358 of 2015

1.S.yuvaraj
2.Sivanandham
3.Viswanathan
4.Gowtham
5.Ganesh

...Petitioners/A1, 2, 3, 4, 6

Vs.

State rep.by
Inspector of Police,
North Police Station,
Erode,
Crime No.179/2015.

...Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C.
Praying to modify the portion of the order dated 20.03.2015 on the
Principal District and Sessions Judge, Erode passed in C.M.P.No.419
of 2015 directing the petitioner to report before Chief Judicial
Magistrate Court at Erode daily once at 10.30 a.m. Until further
orders.

For Petitioners : M/s.N.Chinnaraj

For Respondent : Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

The petitioners filed anticipatory bail application in
Crl.M.P.No.419 of 2015 on the file of the Principal District and
Sessions Judge, Erode and anticipatory bail was granted by the
learned Principal District and Sessions Court, Erode in
C.M.P.No.419 of 2015 on 20.03.2015, subject to condition that the
petitioners shall report before the concerned court namely, the
Chief Judicial Magistrate Court, Erode daily once at 10.30 a.m.
until further orders.

2. It is submitted by the learned counsel for the petitioners that though initially a case was registered in Cr.No.179 of 2015 for the offences under Sections 147, 294(b), 323, 506(ii) and 379 (NP) of I.P.C. Now the case has been made out only for the offence under Section 506(ii) and therefore, the petitioners should not be asked to appear before the learned Chief Judicial Magistrate, Erode, daily at 10.30 a.m. Therefore, the condition has to be modified.

3. I am unable to accept the submissions made by the learned counsel for the petitioners. It is admitted by the petitioners that as per the order of the learned Principal District and Sessions Judge, they have come out on the bail by executing the bond. Therefore, without obeying the condition of the learned Principal District and Sessions Judge, in surrendering before the Chief Judicial Magistrate Court, Erode by executing two sureties and bond, it is not open to the petitioner to seek for modification by coming before this Court. If the petitioner has got any grievance he has to apply for modification or relaxation before the same Court and without moving the Principal Sessions Judge, Erode, the present petition for relaxation before this court, is not maintainable.

4. In the result, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

kkd

To

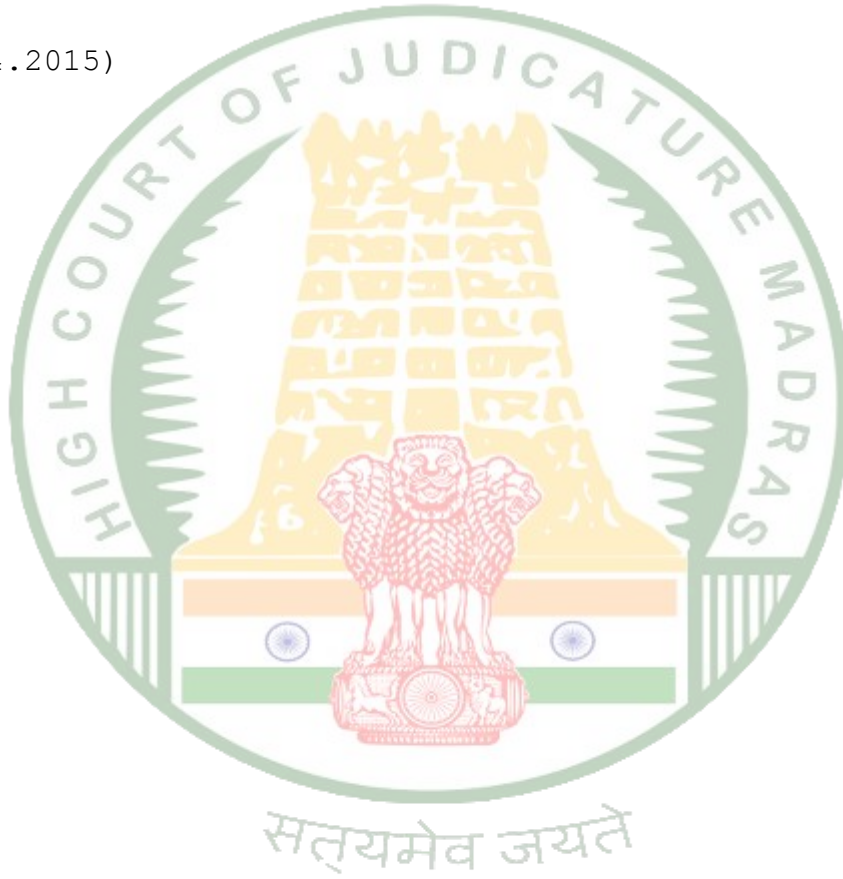
1. The Principal District and Sessions Judge,
Erode.
- 2 The Chief Judicial Magistrate,
Erode.

3. The Inspector of Police,
North Police Station,
Erode.

4. The Public Prosecutor,
High Court of Madras,
Chennai.

CRL.O.P.No.8358 of 2015

SV (CO)
PSI (16.04.2015)



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