



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2015

CORAM

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THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Cr1.O.P.(MD)No.13207 of 2015

1.Malika
2.Murugan
3.Vaithiyanathan
4.Rukkumani

... Petitioners/Accused Nos 1 to 4

Vs.

State rep by
The Inspector of Police,
Meemisal Police Station,
Pudukkottai District.
(Crime No.74 of 2015)

... Respondent/Respondent

PRAYER:

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to set aside the order made in Cr.M.P.No.1035 of 2015 on the file of the Principal Sessions Judge, Pudukkottai dated 07.07.2015.

For Petitioners : Mr.M.Suresh

For Respondent : Mrs.S.K.Anbarasan
Govt. Advocate (Cr1.side)

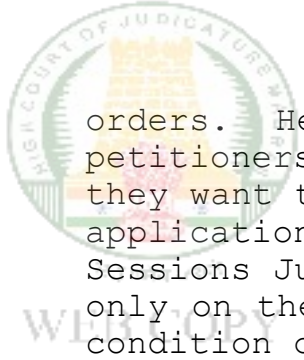
ORDER

This petition has been filed to set aside the order dated 07.07.2015 made in Cr.M.P.No.1035 of 2015 on the file of the Principal Sessions Judge, Pudukkottai.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Cr1.side) appearing for the respondent.

3.The petitioners are arrayed as A1 to A4 in Crime No.74 of 2015 on the file of the respondent police for the alleged offence punishable under Sections 294(b), 324, 506(ii) and 379(NP) of I.P.C.

4.The learned counsel for the petitioners submitted that the petitioners were already released on anticipatory bail on 19.06.2015 in Cr.M.P.No.956 of 2015 by the learned Principal Sessions Judge, Pudukkottai with a condition that the petitioners should appear before the respondent police daily at 10.00 a.m., until further



orders. He further submitted that on 23.06.2015 onwards the petitioners obeyed the conditions and due to age and nature of work, they want to relax the above said condition and hence, they filed an application in Cr.M.P.No.1035 of 2015 before the learned Principal Sessions Judge, Pudukkottai and the same was dismissed on 07.07.2015 only on the sole ground that the petitioners has been complying the condition only after 19.06.2015 ie., below 30 days.

5. There is no law will say that the relaxation cannot be granted, even assuming a person concerned is complying the condition imposed, though less than 30 days.

6. Considering the nature of allegations and taking note of the fact that the petitioners had already been granted anticipatory bail, this Court is inclined to set aside the order dated 07.07.2015 made in Cr.M.P.No.1035 of 2015 passed by the learned Principal Sessions Judge, Pudukkottai and the criminal original petition is allowed and the condition imposed on the petitioners is relaxed.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Sessions Judge,
Pudukkottai

2. The Inspector of Police,
Meemisal Police Station,
Pudukkottai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO M/S.M.SURESH, ADVOCATE IN SR NO.38316

Ns:

Te: 31/07/2015: 2p/5c

Cr1.O.P. (MD) No.13207 of 2015
14.07.2015