



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2015

CORAM:

THE HONOURABLE Mr. JUSTICE K. KALYANASUNDARAM

Crl.O.P. (MD) Nos. 17735 and 17736 of 2015

Crl.O.P. (MD) No. 17735 of 2015:

1. Thomas
2. Raj
3. Thomas Satheesh
4. Simson

..Petitioners/Accused 2 to 5

Vs.

The Inspector of Police,
Asaripallam Police Station,
Nagercoil,
Kanyakumari District.

... Respondent/Complainant

PRAYER: Petition is filed under Section 439(1)(b) of the Code of Criminal Procedure, to modify the condition imposed to the petitioners in Crl.M.P.No.2702 of 2015 on the file of the District Sessions Court, Kanyakumari District at Nagercoil dated 03.09.2015 (in Crime No.281 of 2015).

Crl.O.P. (MD) No. 17736 of 2015:

1. Thomas
2. Thomas Satheesh

... Petitioners/Accused 2 and 3

Vs.

The Inspector of Police,
Asaripallam Police Station,
Nagercoil,
Kanyakumari District.

... Respondent

PRAYER: Petition is filed under Section 439(1)(b) of the Code of Criminal Procedure, to modify the condition imposed to the petitioners in Crl.M.P.No.2703 of 2015 on the file of the District Sessions Court, Kanyakumari District at Nagercoil dated 03.09.2015 (in Crime No.282 of 2015).

For Petitioners
in Both Crl.OPs.

: Mr.P.M.Vishnu Varthanan

For Respondent

in Both Crl.OPs.

: Mrs.S.Prabha,

Government Advocate (Crl. Side)

**COMMON ORDER**

These Criminal Original Petitions have been filed seeking modification of the condition imposed by the Sessions Court, Kanyakumari District at Nagercoil.

2.The learned counsel for the petitioners submitted that the petitioners are facing two cases for offences punishable under Sections 147, 448, 452, 294(b), 427, 323 and 506(i) IPC and they have been arrayed as A2 to A5 in both the cases.

3.The learned counsel appearing for the petitioners submitted that the petitioners are agricultural collies and they have been falsely implicated due to difference of opinion in the Church. In both the cases, the petitioners were granted bail by the Sessions Court, Kanyakumari District at Nagercoil on condition that they should reside at Tirunelveli and report before the Town Police Station, Tirunelveli for a period of one month. This condition causes much inconvenience to the petitioners.

4.The learned counsel for the petitioner further submitted that the 1st accused was released on anticipatory bail on the condition that he shall report before the respondent Police and the same condition may be imposed on the petitioners also.

5.Heard the learned Government Advocate (Crl.side) appearing for the respondent.

6.Considering the submissions, this Court is inclined to modify the condition and the petitioners are directed to appear before the respondent Police daily at 6.00 pm until further orders.

7.These Criminal Original petitions are ordered accordingly.

Sd/-

Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

To

1.The Sessions Judge, Kanyakumari District at Nagercoil.

2.The Inspector of Police, Asaripallam Police Station,
Nagercoil, Kanyakumari District.

3.The Inspector of Police,
Tirunelveli Town Police Station, Tirunelveli.

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

+2cc to Mr.P.M.Vishnu Varthanan, Advocate SR.No.54172 and 54173

<https://hcservices.ecourts.gov.in/hcservices/>

akm/28.09.15 /2p-7c/

Crl.O.P. (MD) Nos.17735 and 17736 of 2015

14.09.2015