



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE **K.KALYANASUNDARAM**

Crl.O.P.(MD).No.13530 of 2015

1. Anithakumari
2. Kamalam

... Petitioners/Accused Nos. 3 & 4

Vs.

The State represented by its
Sub Inspector of Police,
Palugal Police Station,
Palugal,
Kanyakumari District.

... Respondent

PRAYER: This petition is filed under Section 439 (1)(b) of Cr.P.C., to modify the condition imposed in Crl.M.p.No.1865 of 2015 dated 30.06.2015 on the file of the Sessions Court, Kanyakumari Division at Nagercoil as 'as and when required' instead of to sign before Judicial Magistrate No.I, Kuzhithurai daily once at 10.30 a.m.

For Petitioners : Mr.M.Saravanakumar

For Respondent : Mr.K.V.Rajarajan
Govt. Advocate (Crl.side)

O R D E R

The petitioners, who are granted anticipatory bail by the Sessions Court, Kanyakumari in Cr.M.P.No.1865 of 2015 dated 30.06.2015, seek modification of the condition.

2. The learned counsel for the petitioners submitted that originally the respondent has registered a case against the accused 1 and 2 and while filing final report, the petitioners have been arrayed as absconding accused and thereafter, they moved an application for anticipatory bail and the Sessions Court has directed to appear before the Judicial Magistrate daily at 10.30 a.m. for a period of one month. The learned counsel for the petitioners further submitted that the first petitioner is working as a School Teacher in M.J.K.M.M.S.C. Higher Secondary School, Marthandam and the second petitioner is a senior citizen and she is under continuous treatment and they find it difficult to appear before the Judicial Magistrate daily.

3. The learned Government Advocate (Crl.side) submitted that A1 and A2 are complying the condition.



4. Considering the facts and circumstances of the case, this Court is inclined to modify the condition and direct them to appear before the respondent police as and when required and the condition to appear before the Judicial Magistrate, Kuzhithurai daily at 10.30 a.m. for a period of one month is deleted and the petitioners shall furnish sureties within a period of two weeks from the date of receipt of a copy of this order.

This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Sessions Judge, Kanyakumari at Nagercoil.
2. The Judicial Magistrate No.I, Kuzhithurai.
3. The Sub Inspector of Police,
Palugal Police Station,
Palugal,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+lcc to M/S. M.Saravana Kumar, Advocate in SR.No 40485

TS/14.08.2015/2P - 6C

Cr1.O.P. (MD) .No.13530 of 2015

23.07.2015