

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.12754 of 2016

1.Krishnan
2.Jagadeshwaran
3.Ganapathy
4.Sowndiran
5.Poongothai

.. Petitioners

Vs

The State rep by
The Sub Inspector of Police,
Velur Police Station,
Namakkal District.

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to modify the condition of the Principal District and Sessions Judge, Namakkal order made in Crl.M.P.No.584 of 2016 dated 01.06.2016.

For Petitioners : Mr.W.Camyles Gandhi

For Respondent : Mr.C.Emalias, APP

O R D E R

This petition has been filed to modify the conditional order dated 01.06.2016 in Crl.M.P.No.584 of 2016 passed by the learned Principal District and Sessions Judge, Namakkal.

2. Heard the learned counsel for the petitioners; learned Additional Public Prosecutor appearing for the respondent and perused the materials placed on record.

3. It is seen that these petitioners were granted anticipatory bail by the learned Principal District and Sessions Judge, Namakkal in Crl.M.P.No.584 of 2016 on 01.06.2016 for offences under Sections 147, 323, 324 and 506 [i] IPC, on condition that they should appear and sign before the learned District Munsif-cum-Judicial Magistrate, Paramathy daily once at 10.00 a.m. for about one month, subject to certain other conditions. The petitioners filed Crl.M.P. No.642 of 2016 for relaxation of the bail condition and on account of boycott of courts, the learned Principal

District and Sessions Judge has dismissed the same for default on 09.06.2016. Therefore, the petitioners have approached this Court for relaxation.

4. If this Court entertains this application and relaxes the condition, it will send a very wrong message to the Court below, that this Court is encouraging boycott of Courts by lawyers. The Hon'ble Supreme Court in Harish Uppal [Ex.Capt.] Vs Union of India reported in [2003] 2 SCC 45, declared the boycott of Courts as illegal.

5. Learned counsel for the petitioners would submit that two of the petitioners are students and they are finding it very difficult to appear before the learned District Munsif-cum-Judicial Magistrate, Paramathy at 10.00 a.m.

6. Learned Additional Public Prosecutor submits that the petitioners are complying with the condition till today.

7. Accepting the submissions of both sides, this Court is of the view that it will serve the interest of justice, if the bail conditions are modified to the effect that the petitioners shall report before the respondent police daily at 6.00 p.m. till 03.07.2016 and thereafter, as and when required and accordingly, this petition for modification is ordered. Rest of the conditions imposed by the learned Judge shall remain the same.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal District and Sessions Judge, Namakkal.

2.The District Munsif-cum-Judicial Magistrate,
Paramathy.

3.The Sub Inspector of Police,
Velur Police Station,
Namakkal District.

4.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.W.Camyles Gandhi, Advocate, sr.35057

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sks co

kra 24.06.2016