

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.15845 of 2016

1.Sundaram @ Nallakumar
2.Vadivel

.. Petitioners

Vs.

State by : The Inspector of Police,
Steel Plant Police Station,
Salem District.
(Crime No.66 of 2016)

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to modify the bail condition imposed on the petitioners that "to appear and sign before the Judicial Magistrate No.I, Salem, weekly twice on every Monday and Friday at 10.30 a.m. until filing charge sheet and no modification or relaxation petition can be entertained until filing charge sheet" by the Vacation Sessions Judge, Salem in CMP.No.1803 of 2016 by order dated 11.05.2016" as and when required by the Judicial Magistrate No.I, Salem"

For Petitioners	:	Mr.B.Vasudevan
For Respondent	:	Mr.C.Emalias, Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to modify the bail condition imposed on the petitioners in CMP.No.1803 of 2016 on the file of the Vacation Sessions Judge, Salem, vide order dated 11.05.2016.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

3. The petitioners are accused in Crime No.66 of 2016 for the offences under Sections 294(b), 323, 506(i) IPC and they filed Crl.MP.No.1538 of 2016 for anticipatory bail, which was granted by the learned Principal Sessions Judge, Salem, on 18.04.2016, on condition that they should appear before the respondent-Police daily at 10.00 am until further orders. The petitioners are complying with the condition and therefore they filed Crl.MP.No.1803 of 2016 in Crl.M.P.No.1538 of 2016 for relaxation of the condition, in which, the learned Vacation Sessions Judge, Salem, has passed the following order :

" Considering the nature of offence, this court is inclined to modify the bail condition and the petitioners are directed to report and sign before the Judicial Magistrate No.1, Salem, weekly twice on every Monday and Friday at 10.30 a.m. until filing of charge sheet and no modification or relaxation petition can be entertained until filing of charge sheet."

4. Now, the petitioners have appeared before this Court for modification of the said order, on the ground that for the alleged offences, the condition to report before the Judicial Magistrate No.I, Salem, on every Monday and Friday at 10.30 a.m. until filing of charge sheet will be an onerous condition.

5. The learned counsel appearing for the petitioner submitted that the *de facto* complainant is none other than the brother-in-law of the petitioner.

6. Taking into consideration the nature of offence and relationship between the parties, the condition imposed in CrI.M.P.No. 1803 of 2016 dated 11.05.2016 is modified to the effect that the petitioners shall appear before the respondent-Police as and when required.

With the above observation, this Criminal Original Petition is disposed of accordingly.

22.07.2016

ds

To:

- 1.The Inspector of Police,
Steel Plant Police Station,
Salem District.
- 2.The Principal Sessions Judge,
Salem.
- 3.The Public Prosecutor,
High Court, Madras.

P.N.PRAKASH,J

ds

Crl.OP.No.15845 of 2016

22.07.2016