

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2015

CORAM:

THE HON'BLE DR.JUSTICE P.DEVADASS

Crl.R.C. No.674 of 2016

Bikas Kumar

.. Petitioner/Accused

Vs.

State rep. by
Inspector of Police,
CBI, SCB, Chennai
R.C. 7 (S) of 2015

.. Respondent/complainant

Petition filed under Section 397 and 401 of the Code of Criminal Procedure, to call for the records relating to the case in Crl.M.P.No.880 of 2016 dated 02.04.2016 on the file of the Additional Chief Metropolitan Magistrate, Egmore, Chennai and to relax the conditional order passed therein.

For Petitioner : Mr.V.Kumar for
Mr. C.Mohan Raj

For Respondent : Mr. K.Srinivas
Spl.P.P (CBI Cases)

O R D E R

The petitioner aggrieved by the impugned order of the trial Court/Additional Chief Metropolitan Magistrate, Egmore, Chennai passed in Crl.M.P.No.880 of 2016 dated 02.04.2016 (A.FIR. No.8/2015), directed this revision.

2. The revision petitioner is the accused in this case. It is in investigation stage. He was granted bail with a condition to report before the respondent police daily at 10 am, until further orders.

3. In Crl.M.P.No.880 of 2016, complete relaxation was asked for. However, the learned Judge allowed it partially directing him to appear on every Monday at 10 am until further orders on the ground that if complete relaxation is granted he is likely to abscond from Tamil Nadu and it is very difficult for the investigating agency to secure him from a remote village in Bihar.

4. The learned counsel for the petitioner submits that he has already undergone the bail condition, solvent sureties has been give. He is residing in Tamil Nadu only. He will not evade nor avoid the police, but co-operate with the investigating agency.

5. The learned Special Public Prosecutor reiterated the very same contentions which have been accepted by the trial Court.

6. Already, the petitioner has complied with the bail conditions substantially. Still investigation is pending. In such circumstances, he has to co-operate with the investigating agency. He submits that he is ready to co-operate with the investigating agency. Further, he is residing in Chennai. Further, he has given sureties.

7. In these circumstances, the order of the trial Court requires revision.

8. The impugned order of Additional Chief Metropolitan Magistrate, Egmore, Chennai passed in CrI.M.P.No.880 of 2016 dated 02.04.2016 is modified to the effect that the petitioner shall appear before the investigating officer as and when required and if he wish to leave this state, he should get the leave of the Court and this condition will be in force till the filing of the final report.

9. Accordingly, this revision is disposed of.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Additional Chief Metropolitan Magistrate,
Egmore, Chennai

2. Inspector of Police,
CBI, SCB, Chennai

1 cc to Mr.C.Mohanraj, Advocate, sr.26105

CrI.R.C. No.674 of 2016

pvs co

kra 10.05.2016