

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.OP.No.16880 of 2016

Gokul

... Petitioner

Vs

State rep by

The Sub Inspector of Police,
Attur Police Station,
Salem District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C. to set aside the order passed in CMP.No.2514 of 2016 in CMP.No.1919 of 2016 in Crime No.242 of 2016 dated 29.07.2016 on the file of the Principal Sessions Judge, Salem.

For Petitioner : Mr.R.Jayaprakash

For Respondent : Mr.C.Emalias, APP

O R D E R

This petition has been filed to set aside the order dated 29.07.2016 passed in CMP.No.2514 of 2016 in CMP.No.1919 of 2016 in Crime No.242 of 2016 on the file of the Principal Sessions Judge, Salem.

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

3. It is seen that this petitioner is A7 in Crime No.242 of 2016 for offences under Section 147, 148, 294[b], 323, 324 and 506[iii] IPC. The petitioner filed CMP.No.1919 of 2016 for anticipatory bail and the learned Sessions Judge, Salem granted anticipatory bail on 18.05.2016, on condition, that the petitioner shall appear and sign before the Judicial Magistrate No.I, Attur daily at 10.30 a.m. for a period of 30 days.

4. It is the contention of the petitioner that he is studying B.E.II year in KSR Engineering College, Tiruchengode and therefore, he has to attend classes, on account of which, he will not be able to comply with the aforesaid condition. The petitioner filed a modification application in CMP.No.2514 of 2016 before the District Judge, Salem, which was dismissed on 29.07.2016. Aggrieved by which, the petitioner is before

this Court.

5. Taking into consideration the nature of allegation in the FIR and the fact that the petitioner is a student, this Court is of the view that it will be in the interest of justice, if the order is modified as follows:

"In stead of reporting before the Judicial Magistrate No.I, Attur daily at 10.30 a.m. for a period of 30 days, the petitioner is directed to report before the respondent Police at 6.30 p.m. on Saturdays and Sundays for a period of four weeks."

With the above modification, this petition is ordered accordingly.

Sd/-
Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Sessions Judge, (I/C) II Additional Sessions Judge, Salem.
2. The Judicial Magistrate NO.I, Attur.
- 3.The Sub Inspector of Police,
Attur Police Station,
Salem District.
- 4.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to MR.R. Jayaprakam, Advocate Sr.44500

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KJI(CO)
Eu 12.08.16