

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.OP.No.19303 of 2016

S.S.Sundaram ... Petitioner/Accused

Vs

The State of Tamil Nadu
Rep by Deputy Superintendent of Police,
Economic Offences Wing II [Head Quarters],
Guindy, Chennai-31. ... Respondent/Complainant.

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to relax the condition dated 02.04.2016 passed in Crl.M.P.No.572 of 2016 as modified on 05.10.2015 in Crl.M.P.No.1473 of 2015 in Crl.M.P.No.1348 of 2015 in Crime No.1 of 2015 on the file of the respondent Police.

For Petitioner : Mr.M.Udhaya Kumar
For Respondent : Mr.C.Emalias, APP

O R D E R

This petition has been filed to relax the condition imposed by the learned Special Judge under TNPID Act, Chennai in Crl.M.P.No.572 of 2016 dated 02.04.2016.

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

3. The petitioner was arrested in Crime No.1 of 2015 for offences under Section 420 IPC and Section 5 of TNPID Act and thereafter, he was granted bail by the Special Court under TNPID Act in Crl.M.P.No.1348 of 2015 on 03.09.2015, on condition that he should report before the respondent Police everyday at 10.00 a.m. On release, the petitioner complied with the said condition and the condition was subsequently modified. At present, the petitioner has been directed by the Special Court for TNPID Act Cases to report before the respondent Police on the 1st day of every month. The petitioner filed Crl.M.P.No.976 of 2016 before the Special Court for TNPID Act Cases for

relaxing the bail condition, which was dismissed by the Court on 13.07.2016, on the ground that the investigation in the case is pending and the Police may require the examination of the petitioner from time to time. Challenging the order dated 13.07.2016, the petitioner is before this Court.

4. Learned counsel for the petitioner submitted that whenever the petitioner goes to appear before the Investigating Officer, he is being attacked by the depositors and therefore, he is not able to comply with the said condition.

5. In the light of the above, this Court modifies the condition to the effect that the petitioner shall appear before the Special Court under TNPID Act Cases, Chennai at 10.30 a.m. on the first working day of every month. As and when the Police want to examine the petitioner, the petitioner shall appear before the respondent Police on summons and the respondent Police shall ensure that no harm befalls on him.

With the above modification, this petition is ordered accordingly.
gya

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Special Judge under TNPID Act,
Chennai.

2.The Deputy Superintendent of Police,
Economic Offences Wing II [Head Quarters],
Guindy, Chennai-31.

3.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.M.Udhayakumar, Advocate SR 48724

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