

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.22267 of 2016

Mahesh

.. Petitioner

Vs.

The State by Inspector of Police,
Prohibition & Excise Wing,
Erode District.

(Crime No.861 of 2015)

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to modify the condition imposed in C.M.P.No.4091 of 2016 by order dated 22.07.2016 by the learned Judicial Magistrate No.3, Erode in so far as condition to appear before the respondent police is concerned.

For Petitioner : Mr.S.Sathishrajan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed to modify the condition imposed in C.M.P.No.4091 of 2016 by order dated 22.07.2016 by the learned Judicial Magistrate No.3, Erode.

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

3. This petitioner was arrested by the respondent police in Crime No.861 of 2015 for various offences under Sections 4(1-A) 4(aaa) r/w 4(1-A) 4(1)(b)(g) of TNP Act 1937 and Section 5,6,7 of TNRS Rules and Section 420, 467, 468, 471, 212 of IPC and he was granted bail on 22.07.2016 by the Judicial Magistrate No.III, Erode, in C.M.P.No.4091 of 2016 on condition that he should report before the respondent police at 10.00am every day for 30 days.

4. It is seen that this petitioner was arrested in various crime numbers and he has been granted bails by various Courts and he was detained under the Goondas Act. Ultimately, he was released on bail only on 15.09.2016 but, he is unable to comply with the condition imposed in this case.

5. Under such circumstances, the condition imposed by the Judicial Magistrate No.III, Erode, is hereby modified to the effect that the petitioner should report before the respondent police for a period of one week (i.e.) from 16.10.2016 to 23.10.2016 and thereafter, as and when required. Rest of the conditions imposed by the Judicial Magistrate No.III, Erode, are maintained.

6. If the petitioner fails to appear before the Court without sufficient cause, after having been released on bail in accordance with the terms of the bail order, a fresh prosecution can be initiated against him under Section 229-A IPC.

With the above said directions, the criminal original petition is disposed of.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. Inspector of Police,
Prohibition & Excise Wing,
Erode District.
2. The Judicial Magistrate No.III,
Erode.
3. -Do- Thro Chief Judicial Magistrate,
Erode.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Sathish Rajan, Advocate Sr.56238

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ctr[co]
srg 03/10/2016