

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.24042 of 2016

Kotteswaran

... Petitioner

Vs.

The Inspector of Police
H1 Washermenpet Police Station,
Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439(I-B) read with 482 Cr.P.C to set aside the order in Crl.MP.No.17868 of 2016 dated 21.10.2016 by the Principal Sessions Judge, Chennai and to modify the condition that the petitioner should appear before the concerned magistrate court XV, G.T. Chennai instead of Judicial Magistrate No.1, Madurai daily at 10.30 a.m. which is imposed on 28.09.2016 in Crl.MP.No.16113/2016 order passed by Principal District Sessions Judge at Chennai.

For Petitioner : Ms.L.Srileka

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed to set aside the order dated 21.10.2016 in Crl.MP.No.17868 of 2016 by the Principal Sessions Judge, Chennai and to modify the condition that the petitioner should appear before the Magistrate Court XV, George Town, Chennai instead of Judicial Magistrate No.1, Madurai daily at 10.30 a.m. which is imposed on 28.09.2016 in Crl.MP.No.16113/2016 order passed by Principal District Sessions Judge at Chennai.

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

3. It is seen that the petitioner is said to be an advocate and that he abducted the de-facto complainant's son along with

others and demanded ransom. However, the Sessions Judge, Chennai, granted anticipatory bail in CrI.MP.No.16113 of 2016 on 28.09.2016 on condition that he should stay at Madurai to report before Judicial Magistrate No.1 daily at 10.30 a.m. Challenging the said condition, the petitioner is before this Court.

4. The learned counsel for the petitioner submitted that the petitioner is physically indisposed and therefore, he seeks modification of the aforesaid condition.

5. Per contra, learned Additional Public Prosecutor submitted that the petitioner, while on anticipatory bail, has involved in another offence in Crime No.578 of 2016.

6. In the considered opinion of this Court, the Sessions Judge, Chennai was indulgent to grant anticipatory bail to the petitioner though the allegation against him is very serious. This Court does not find any justification in modification of the said condition. It is also seen that the petitioner earlier filed CrI.MP.No.17868 of 2016, which was dismissed by the Sessions Judge, Chennai on 22.10.2016.

In view of the foregoing, this petition is dismissed with a direction to the petitioner to report before the Judicial Magistrate No.1, Madurai, failing which the anticipatory bail will be cancelled.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate No.I,
Madurai.
2. The Inspector of Police
H1 Washermenpet Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.24042 of 2016

SS(CO)
CA(14/12/2016)