

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.2480 of 2016

1.Sampath
2.Prabu
3.Arunkumar
4.Arvind
5.Sarath

.. Petitioners

Vs.

State rep. by Sub-Inspector of Police
Gangavalli Police station, Salem District.
Crime No.15 of 2016

... Respondent

Prayer:- Petition has been filed under Section 482 of Cr.P.C. to modify the condition imposed by the Principal Sessions Court, Salem, on 28.01.2016 in C.M.P.No.390 of 2016 to an extend to report before the respondent or before the Judicial Magistrate No.2, Attur.

For Petitioners : Mr.R.Asaithambi

For Respondent : Mr.C.Emalias
Addl. Public Prosecutor

सत्यमेव जयते
O R D E R

This petition is filed to modify the condition imposed on the petitioners in C.M.P.No.390 of 2016, dated 28.01.2016, by the Principal Sessions Court, Salem, in Crime No.15 of 2016 on the file of the respondent police.

2.Learned counsel for the petitioners submits that the petitioners herein are arrayed as accused in Crime No.15 of 2016 for the offences punishable under Sections 147, 148, 294 (b), 323, 324 and 506(ii) IPC. The learned Principal Sessions Judge, Salem, while granting anticipatory bail to the petitioners, directed the petitioners 2 to 4 to stay at Sivagangai, report and sign before the learned Judicial Magistrate No.1, Sivagangai daily twice and directed the petitioners 1 and 5 to stay at Kumbakonam, report and sign before the Judicial Magistrate No.1, Kumbakonam daily twice.

He further submits that the alleged offences are not serious in nature and they are falsely implicated in this case. The petitioners will not abscond from the jurisdiction, hence he prayed for modification that the petitioners may be directed to appear before the jurisdictional Magistrate Court and they are ready to sign before the concerned Court daily twice.

3.Learned Additional Public Prosecutor submits that the petitioners 3 to 5 alone are students and other petitioners are not students. However, he prayed for dismissal of this petition.

4.Considering the submissions made on both sides, this Court is inclined to modify the condition imposed in clause-(2) and (3) of the order dated 28.01.2016 made in C.M.P.No.390 of 2016, which is as follows:

"the petitioners shall appear before the learned Judicial Magistrate No.II, Athur and report and sign before the concerned Court daily twice at 10.30 a.m. and 5.30 p.m., until further orders and on further condition that they shall make available themselves for interrogation as and when required by the Investigating Officer."

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Sub-Inspector of Police
Gangavalli Police station, Salem District.

2.The Principal Sessions Judge, Salem.

3.The Judicial Magistrate No.II, Attur.

4.The Public Prosecutor, High Court, Chennai.

+1 cc to Mr.R.Asaithambi, Advocate, sr.7361

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