

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.24968 of 2016

1.Ravi
2.Rajendiran
3.Sathasivam
4.Palaniappan
5.Bhoopathy .. Petitioners

Vs.

State, Represented by
The Inspector of Police,
Ammapettai Police Station,
Erode District. ... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to set aside the condition, once in a month in the first working day of every month at 10.30 a.m. till filing of final report and no application for condition relaxation entertain, passed in Crl.M.P.No.681 of 2015 on 20.05.2015 by the District Judge Sessions Court, Erode.

For Petitioners : Mr.V.Vijayakumar
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed praying for the modification of the condition imposed in Crl.M.P.No.681 of 2015 on 20.05.2015 by the District Sessions Court, Magalir Neethimandram (Fast Track Mahila Court), Erode.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents.

3. The petitioners are accused in Crime No.151 of 2014 for the offences under Sections 120(b), 420, 467, 468, 471, 147, 148, 447, 294(b) and 506 (ii) of IPC. The petitioners were released on anticipatory bail by the learned District Judge,

Mahalir Neethimandram (Fast Track Mahila Court), Erode in CrI.MP.No.681 of 2015 on 20.05.2015 on certain conditions, one of which is that the petitioners should report before the Judicial Magistrate, Bhavani on the first working day of every month daily @ 10.30 a.m., till filing of final report and no application for condition relaxation would be entertained.

4. Mr.V.Vijayakumar, learned counsel for the petitioners/accused submitted that the said condition was imposed by the Sessions Court, Mahalir Neethimandram, Erode, on the representation made by the learned Public Prosecutor of the Sessions Court that, the investigation was almost completed, but whereas, the investigation has not yet been completed.

5. Today, Mr.T.Thirumoorthi, Head Constable, Ammapettai Police Station, Erode District is present. On instructions, the learned Additional Public Prosecutor submitted that investigation has not made any serious headway.

6. Under such circumstances, the aforesaid condition is relaxed and that the petitioners shall appear before the respondent police as and when required.

7. The learned Additional Public Prosecutor submitted that taking into consideration the nature of the allegations in the FIR, the respondent police may not be able to investigate the case, as the allegation essentially relates to land grabbing offences.

8. If that is so, the Inspector of Police, Ammapettai Police Station, Erode District may submit a proposal to the Superintendent of Police, Erode District for transferring the case to the Anti Land Grabbing Cell in that district, and on such proposal, the Superintendent of Police may transfer the case to Anti Land Grabbing Cell.

9. In view of the above modification, this Criminal Original Petition is ordered.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

- 1.The Superintendent of Police,
Erode District.
- 2.The Inspector of Police,
Ammappettai Police Station,
Erode District.
- 3.The Inspector of Police
Anti Land Grabbing Cell,
Erode District,,
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V. Vijayakumar, Advocate, S.R.No.66219

mu(CO)
md(14/12/2016)

Crl. O.P. No.24968 of 2016



WEB COPY