

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.3263 of 2016

P.Tamilarasu

... Petitioner

Vs.

The State rep by its
The Sub-Inspector of Police,
E-3, Saravanampatti Police Station,
Coimbatore
(Crime No.640/2015)

... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to set aside order passed by the Principal Sessions Judge, Coimbatore in C.M.P.No.222 of 2016 in C.M.P.No.3578 of 2015 dated 27.01.2016.

For Petitioner : Mr.E.C.Ramesh

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking to set aside the order passed by the learned Principal Sessions Judge, Coimbatore in C.M.P.No.222 of 2016 in C.M.P.No.3578 of 2015 dated 27.01.2016, wherein, the prayer for relaxation came to be dismissed.

2.Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

3.The petitioner has been facing criminal case in Crime No.640 of 2015 for the offence punishable under Sections 420, 406 and 120(b) of I.P.C. in which, while he was enlarged on anticipatory bail in Crl.M.P.No.3578 of 2015 on 05.01.2016, he was directed to appear before the respondent police daily at 10.00 a.m for a period of 30 days along with other conditions. In pursuance of that, he has executed surrender and executed bond on 13.01.2016. He filed C.M.P.222 of 2016 for relaxation stating that on 13.01.2016 when he appeared before the respondent police for compliance of the condition, the Inspector of Police asked him to settle the pending amount to the defacto

complainant and since he was already affected by severe stress, his blood pressure and sugar arose and he was treated at Coimbatore Medical College Hospital on 13.01.2016 and he prayed for relaxation. The learned Judge after considering the arguments had dismissed the petition stating that there is no sufficient reason for relaxation, against which the present CrI.O.P. has been filed.

4.Considering the arguments advanced on both sides, since the condition has been imposed to appear before the respondent police daily at 10.00 a.m., and according to the petitioner, on 13.01.2016 when he appeared before the respondent police for compliance of the condition, the Inspector of Police asked him to settle the pending amount to the defacto complainant, he became stressed, but admittedly, he has appeared before the respondent police only on 13.01.2016 and after that he has not appeared.

5.This Court feels it a fit case for directing the petitioner to appear before the concerned Judicial Magistrate where the F.I.R. is pending for completing the other 29 days. Accordingly, the petitioner is directed to appear before the learned Judicial Magistrate No.2, Coimbatore daily at 10.30 a.m. for the balance 29 days.

6.With the above direction, this Criminal Original Petition is disposed of.
pri

s/d-
Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

1. The Principal Sessions Judge,
Coimbatore.
2. The Judicial Magistrate No.2
Coimbatore.
3. The Sub-Inspector of Police,
E-3, Saravanampatti Police Station,
Coimbatore
4. The Public Prosecutor
High Court, Madras.

+ 1 cc to Mr.E.C.Ramesh, Advocate SR 10130
kji(co)
prk24/2

CrI.O.P.No.3263 of 2016