

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.5125 of 2016

1.Saran

2.Ranjith

3.Suresh

4.Vimalraj

... Petitioners

Vs.

State rep. by Inspector of Police
Kirumampakkam police station
Pudhucherry.
(Crime No.24 of 2016)

... Respondent

Prayer:- Petition has been filed under Section 482 of Cr.P.C. to modify the order made in Cr1.M.P.No.322 of 2016 dated 26.02.2016 on the file of the learned Principal Sessions Judge, Pudhucherry.

For Petitioners : Mr.Om Sai Ram

For Respondent : Mr.V.Balamurugane
Addl. Public Prosecutor (Pondicherry)

सत्यमेव जयते
O R D E R

This petition is filed to modify the condition imposed in Cr1.M.P.No.322 of 2016, dated 26.02.2016 on the file of the learned Principal Sessions Judge, Pudhucherry.

2.Learned counsel for the petitioners submits that the petitioners are accused for the offences punishable under Sections 294(b), 324 and 506(ii) IPC read with Section 34 IPC in connection with the case in Crime No.24 of 2016. The petitioners have moved anticipatory bail in Cr1.M.P.No.322 of 2016 on the file of the Principal Sessions Judge, Pondicherry. The said Court by an order dated 26.02.2016 granted anticipatory bail to the petitioners subject to certain conditions, in which, the first and second conditions are as follows:

"(i) the petitioners A1 and A2 shall appear and sign before the Station House Officer, Yanam Police Station, Yanam, twice in a day at 10.00 a.m. and 6.00 p.m. continuously from the date of their release on anticipatory bail without fail, until further orders.

(ii) the petitioners A3 and A4 shall appear and sign before the Station House Officer, Mahe Police Station, Mahe, twice in a day at 10.00 a.m. and 6.00 p.m. continuously from the date of their release on anticipatory bail without fail, until further orders. "

3. Learned counsel for the petitioners further submits that the petitioners are the natives of Uchimedu, Pondicherry. The distance between Pondicherry and Yanam is more than 800 kilometres. It is further submitted that the petitioners are daily coolies and they are hailing from poor back ground. Therefore, it is difficult for them to sign before the police station at Yanam and Mahe. Hence, the petitioners have come forward with this petition for the above stated relief.

4. Heard the learned Additional Public Prosecutor (Pondicherry).

5. Considering the submissions made on both sides, the petitioners are the accused for the offences punishable under Sections 294(b), 324 and 506(ii) IPC read with Section 34 IPC in connection with the case in Crime No.24 of 2016 on the file of the respondent police. According to the learned counsel for the petitioners, the petitioners are hailing from poor back ground. Under such circumstances, I am of the view, the first and second conditions imposed by the learned Principal Sessions Judge, Pondicherry, is onerous in nature. Hence, it is a fit case to modify the first and second conditions imposed by the learned Principal Sessions Judge, Pondicherry, made in Cr1.M.P.No.322 of 2016.

6. Accordingly, the petitioners shall appear and sign before the learned Judicial Magistrate No.I, Cuddalore, daily at 10.00 a.m. for a period of thirty days from the date of receipt of a copy of this order, without fail and thereafter, the petitioners shall appear and sign before the learned Judicial Magistrate No.I, Pondicherry, daily at 10.00 a.m., until further orders.

kj

Sd/-
Asst.Registrar

/true copy/

To

- 1.The Inspector of Police,
Kirumampakkam police station,
Pudhucherry.
 - 2.The Principal Sessions Judge, Pondicherry.
 - 3.The Judicial Magistrate No.I, Cuddalore.
 - 4.The Judicial Magistrate No.I, Pondicherry.
 - 5.The Public Prosecutor, High Court, Pondicherry.
- + 1 cc to Mr.Om Sai Ram, Advocate Sr 14676

KR/10/3/16

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