



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2016

CORAM

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl.O.P.(MD).No.10903 of 2016

1. Edward Mainckam
2. Antonyammal
3. Chandra
4. Susee

.. Petitioners

Vs.

State through the
The Inspector of Police,
Perumalpuram Police Station,
Thirunelveli District.
Crime No.323 of 2016

.. Respondent

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C praying to set aside the condition imposed in Cr.M.P.No.2523 of 2016 dated 25.05.2016 passed by the learned Thirunelveli Division Vacation Sessions Judge, Thirunelveli so far as the imposition of condition to sign before the respondent police station daily once i.e at 10.30 am for one month and modify the condition to appear before the respondent Police as and when required by the respondent Police.

For Petitioners : Mr. N. Anandkumar
For Respondent : Mr.P. Kannitheven
Government Advocate (Crl.Side)

ORDER

The Criminal Original Petition seeking to set aside the condition imposed in Cr.M.P.No.2523 of 2016, dated 25.05.2016, passed by the learned Thirunelveli Division Vacation Sessions Judge, Thirunelveli, so far as the imposition of condition to sign before the respondent police station daily once i.e at 10.30 am for one month and modify the condition to appear before the respondent Police as and when required by the respondent Police.

2. The petitioners are charged for offences under Sections 294 (b), 323 and 506(ii) of IPC. The petitioners filed Crl.M.P.No.2523 of 2016 on the file of the learned Thirunelveli Division Vacation Sessions Judge, Thirunelveli. By order dated, 25.05.2016, the learned Thirunelveli Division Vacation Sessions Judge, Thirunelveli, granted anticipatory bail to the petitioners on condition that the petitioners shall sign before the respondent Police station daily at 10.30 am for one month and thereafter, to appear on receiving summons. Now, the

petitioners have come out with the present petition for modification of the above said condition.

3. The learned counsel appearing for the petitioners submitted that the petitioners are complying with the condition from 04.06.2016 to 16.06.2016. He further submitted that the first petitioner is working as Assistant at Collectorate, Virudhunagar and the second petitioner is aged about 65 years and suffering from illness. Further, the petitioners 3 and 4 are residing at Kerala and therefore, they are finding it very difficult to comply with the condition imposed, by the learned Thirunelveli Division Vacation Sessions Judge, Thirunelveli, and prays for modification of the above said condition.

4. The learned Government Advocate (Crl. Side) submitted that the petitioners are complying with the condition from 04.06.2016 to 16.06.2016.

5. I have heard the learned counsel appearing on either side.

6. Considering the contention of the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) that the petitioners are complying with the condition from 04.06.2016 and 16.06.2016 and that the 2nd petitioner is an aged person and suffering from illness and that the petitioners 3 and 4 are residing at Kerala, this Court is inclined to modify the condition imposed on the petitioners that the petitioners shall appear before the respondent Police, as and when required for interrogation.

7. Accordingly, the Criminal Original Petition is ordered.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

trp
To

1. The Inspector of Police, Perumalpuram Police Station,
Thirunelveli District.

2. The learned Thirunelveli Division
Vacation Sessions Judge, Thirunelveli

+1CC to Mr.V.Malaiyendran, Advocate Sr.No.34508

GJM/DB/19.7.16-2p-4C

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