



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Thirteenth day of July Two Thousand Sixteen

PRESENT

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl.O.P(MD)Nos.11229 to 11231 of 2016

1.Muthurakku : Petitioner in Crl.O.P(MD)No.11229/2016
2.Karuppasamy
3.Subramanian : Petitioners in Crl.O.P(MD)No.11230/2016
4.Murali
5.Vinothkumar
6.Arunkumar : Petitioners in Crl.O.P(MD)No.11231/2016

Vs.

The Sub Inspector of Police,
District Crime Branch,
Sivagangai District.
(Crime No.13 of 2016)

: Respondent in all petitions

Prayer in CRL.O.P. (MD)No.11229 of 2016:

Criminal Original Petitions are filed under Section 439(1)(b) of the Criminal Procedure Code praying to modify the orders passed in Cr.M.P.No.1322 of 2016 dated 23.06.2016 and relax the condition imposed in Cr.M.P.No.87/2016 dated 18.05.2016 on the file of the Sessions Court, Sivagangai in connection with Crime No.13/2016 on the file of the respondent police.

Prayer in CRL.O.P. (MD)No.11230 of 2016:

Criminal Original Petitions are filed under Section 439(1)(b) of the Criminal Procedure Code praying to modify the orders passed in Cr.M.P.No.1321 of 2016 dated 23.06.2016 and relax the condition imposed in Cr.M.P.No.74/2016 dated 18.05.2016 on the file of the Sessions Court, Sivagangai in connection with Crime No.13/2016 on the file of the respondent police.

Prayer in CRL.O.P. (MD)No.11231 of 2016:

Criminal Original Petitions are filed under Section 439(1)(b) of the Criminal Procedure Code praying to modify the orders passed in



Cr.M.P.No.1320 of 2016 dated 23.06.2016 and relax the condition imposed in Cr.M.P.No.86/2016 dated 18.05.2016 on the file of the Sessions Court, Sivagangai in connection with Crime No.13/2016 on the file of the respondent police.

WEB COPY

ORDER: These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.J.JEYAKUMARAN, Advocate for the petitioner in all the cases and of MR.P.KANNITHEVAN, Government Advocate on behalf of the Respondent in all the cases, the court made the following order:-

These petitions have been filed praying to modify the condition imposed on the petitioners in the orders dated 18.05.2016 passed in Cr.M.P.No.87, 74 and 86 of 2016 by the learned Vacation Sessions Judge, Sivagangai.

2.It is averred in the petition that the petitioners have been arrayed as accused Nos.3 to 5, 7 and 8 in Crime No.13 of 2016 on the file of the respondent police for the offences punishable under Sections 406, 468, 471, 420 and 120(B) IPC. The petitioners herein moved petitions before the learned Vacation Sessions Judge, Sivagangai in Cr.M.P.No.87, 74 and 86 of 2016 for anticipatory bail and the learned Vacation Sessions Judge, Sivagangai, after hearing both sides, granted anticipatory bail to them with certain conditions vide order dated 18.05.2016 and one of the said condition is that the petitioners should report before the respondent police daily at 09.00 a.m. until further orders. As per the said order, the petitioners surrendered before the learned Judicial Magistrate No.2, Sivagangai and released on bail and they are complying with the conditions for more than 40 days from 20.05.2016. Thereafter, they filed Cr.M.P.No.87, 74 and 86 of 2016 before the learned Sessions Judge, Sivagangai praying to relax the condition and the same were dismissed by the Court below. Therefore they have come up with the present petitions for relaxing the said condition.

3.The learned counsel for the petitioners submitted that the petitioners in Cr.L.O.P (MD) No.11229 and 11230 of 2016 are aged persons and they are complying with the condition for more than 40 days and the



petitions filed by them for relaxing the condition before the Court below were dismissed and therefore the condition imposed on them may be relaxed.

4.The learned Government Advocate (Crl.Side) submitted that the petitioners are complying with the condition regularly.

5.The learned Vacation Sessions Judge, Sivagangai granted anticipatory bail in favour of the petitioners with a specific condition to the effect that they should appear before the respondent police daily at 09.00 a.m. until further orders and they are complying with the condition from 20.05.2016. The petitions for relaxation filed by them before the Court below were dismissed for non-prosecution. Considering the fact that the petitioners in Crl.O.P(MD)No.11229 and 11230 of 2016 are aged persons and also considering the gravity of offence, this Court is inclined to modify the said condition to the effect that the petitioners shall report before the respondent police once in a week i.e., on every Monday at 09.00 a.m. until further orders and the Criminal Original Petitions are disposed of accordingly.

sd/-

13/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

To

- 1.The Sessions Judge, Sivagangai.
 - 2.The Sub Inspector of Police, District Crime Branch, Sivagangai District.
 - 3.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +3CC to M/S.J.Jeyakumaran, Advocate, SR.No. 36094, 36095, 36096

Crl.O.P(MD)Nos.11229 to 11231 of 2016

smn

AM/SK.SKN/SAR-II/15.07.2016/2P/7C