



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2016

CORAM:

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Cr1.O.P(MD)No.11411 of 2016

1.Kumaresadhas
2.R.Sailas Raj
3.P.Kesavan
4.Jayakumar
5.C.Santhosh Kumar : Petitioners

Vs.

The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.
(Crime No.204 of 2016) : Respondent

Prayer: Criminal Original Petition is filed under Section 439(1) (b) of the Criminal Procedure Code praying to modify the condition imposed by the learned Sessions Judge, Kanniyakumari District at Nagercoil in Cr.M.P.No.1842 of 2016 dated 01.06.2016.

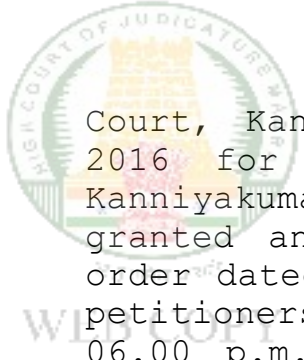
For Petitioners : Mr.S.Sivakumar

For Respondent : Mr.P.Kannithevan,
Government Advocate (Cr1.side).

O R D E R

This petition has been filed praying to modify the condition imposed on the petitioners in the order dated 01.06.2016 passed in Cr.M.P.No.1842 of 2016 by the learned Sessions Judge, Kanniyakumari District at Nagercoil.

2.It is averred in the petition that the petitioners have been arrayed as accused Nos.1,3,4,5 and 6 in Crime No.204 of 2016 on the file of the respondent police for the offences punishable under Sections 147, 148, 188, 294(b), 336, 332 and 506(ii) IPC, on the allegation that on 10.05.2016, during temple festival, the petitioners, who are the office bearers of Koottalumoodu Arulmigu Bhadrewari Amman Temple along with other accused abused the Inspector of Police, Puthukadai Police Station, assaulted the police party and threatened them with dire consequences. The petitioners herein have moved a petition before the Sessions



Court, Kanniyakumari District at Nagercoil in Cr.M.P.No.1842 of 2016 for anticipatory bail and the learned Sessions Judge, Kanniyakumari District at Nagercoil, after hearing both sides, granted anticipatory bail to them with certain conditions vide order dated 01.06.2016 and one of the said conditions is that the petitioners shall report before the respondent police daily at 06.00 p.m. until further orders. As per the said order, the petitioners surrendered before the learned Judicial Magistrate No.2, Kuzhithurai and released on bail and they are complying with the conditions from 04.06.2016.

3.The learned counsel for the petitioners submitted that the petitioners are the office bearers of Koottalumoodu Arulmigu Bhadrewari Amman Temple and the petitioners 1 and 3 are aged about 65 and 63 years respectively and they are facing difficulties in signing before the respondent police daily and therefore, the condition imposed on the petitioners by the learned Sessions Judge, Kanniyakumari District at Nagercoil, may be modified.

4.The learned Government Advocate (Crl.Side) submitted that after considering the facts and circumstances of the case, the learned Sessions Judge, Kanniyakumari District at Nagercoil, granted anticipatory bail to the petitioners with a specific condition to appear before the respondent police daily 06.00 p.m. and the petitioners are complying with the condition from 05.06.2016 and the same requires no interference.

5.From the materials available on record, it is seen that the learned Sessions Judge, Kanniyakumari District at Nagercoil, granted anticipatory bail in favour of the petitioners with a specific condition to appear before the respondent police daily at 06.00 p.m. until further orders and they are complying with the condition from 05.06.2016. They are the office bearers of Koottalumoodu Arulmigu Bhadrewari Amman Temple and the petitioners 1 and 3 are aged about 65 and 63 years respectively.

6.Considering the above said facts, this Court is inclined to modify the said condition to the effect that the petitioners shall report before the respondent police as and when required for interrogation by the respondent police and the Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar



smn

To

1.The Sessions Judge, Kanniyakumari District
at Nagercoil.

2.The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.S.Sivakumar, Advocate Sr.No.35941

GJM/ARK/PV/25.7.16-3p-5c

ORDER MADE IN
Cr1.O.P(MD)No.11411 of 2016
12.07.2016