



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2016

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

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Cr1.O.P.(MD).No.393 of 2016

Ananth

.. Petitioner

Vs.

State rep. By Sub Inspector of Police,  
Aralvaimozhy Police Station,  
Nagercoil,  
Kanyakumari District.

.. Respondent

**Prayer:** This Criminal Original Petition is filed under Section 439 (1)(b) of Code of Criminal Procedure, to set aside the orders passed by the learned Sessions Judge of Kanyakumari at Nagercoil in Cr.M.P.No.3635 of 2015 and allow the application.

For Petitioner : Mr.N.Dilip Kumar

For Respondents : Mr.K.Anbarasan  
Government Advocate (Cr1. Side)

### JUDGMENT

The petitioner has filed this petition to set aside the earlier order passed by the learned Sessions Judge, Kanyakumari @ Nagercoil in Cr.M.P.No.3635 of 2015, imposing the condition to appear before the respondent police daily at 10.00 a.m., for one month and also not to leave the country without permission of the Court.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent and perused the records carefully.

3. The learned counsel for the petitioner submitted that subsequent to the order of the court below, this petitioner executed the surety and due to unavoidable circumstances, he could not make his appearance before the Inspector of Police, Aralvaimozhy Police Station as per the condition imposed by the learned Sessions Judge, Kanyakumari @ Nagercoil in Cr.M.P.No.3635 of 2015.

4. Though the prayer is sought for to set aside the order of the court below, the learned counsel for the petitioner submitted that the petitioner seeks permission of this Court to comply with the condition passed by the court below from 20.01.2016 onwards without fail.

5. Considering the facts and circumstances, this Cr1.O.P.(MD). 393 of 2016 is disposed of with a direction to the petitioner to



appear before the Inspector of Police, Aralvaimozhy Police Station, daily at 10.00 a.m., for a period of one month from 20.01.2016, as per the condition imposed by the learned Sessions Judge, Kanyakumari @ Nagercoil in Cr.M.P.No.3635 of 2015 without fail.

Sd/-

Assistant Registrar(P & A)

/True copy/

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Sub Assistant Registrar  
Madurai Bench of Madras High Court,  
Madurai.

PJL

To

1.The Seesions Judge, Kanyakumari @ Nagercoil.

2.The Sub Inspector of Police,  
Aralvaimozhy Police Station,  
Nagercoil,Kanyakumari District.

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

4.The Inspector of Police,  
Aralvaimozhy Police Station,  
Nagercoil,Kanyakumari District.

+1 cc to Mr.N.Dilip Kumar,Advocate, SR No.2912

Cr1.O.P. (MD) .No.393 of 2016  
18.01.2016

RG.AAL-MPA 29.01.2016 2P.6C