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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2016

CORAM

THE HONOURABLE Ms. JUSTICE V.M.VELUMANI

Crl.O.P. (MD) .Nos.9215 and 9216 of 2016

B. William .. Petitioner/Accused No.7
in Cr.O.P (MD) .No.9215 of 2016

1. P. Ponnuswamy
2. J. Mary Pushpam
3.P.M.Boris .. Petitioners/Accused Nos.1,2 & 6
in Crl.O.P (MD) .No.9216 of 2016

Vs

State by Inspector of Police,
Anjugramam Police Station,
Kanyakumari District.
(Crime No.467/2013)

.. Respondents/Complainants in both Crl.O.Ps

PRAYER: Criminal Original Petitions are filed under section 438(1)(b) of CR.P.C praying to modify the condition as fully relaxed which was imposed on the petitioners in Crl.M.P.(MD).Nos. 1704 and 1725 of 2016, respectively dated 19.05.2016 in Crl.M.P.No.1528 of 2016, by the Vacation Court of Sessions, Kanyakumari District, Nagercoil.

For Petitioner : Mr. G. Murugendran in both O.Ps.

For Respondent : Mr. P. Kannithevan,
Government Advocate (Crl.Side)

ORDER

These Criminal Original Petitions are seeking modification of the order as fully relaxed which was imposed on the petitioners in Crl.M.P. (MD).Nos. 1704 and 1725 of 2016, respectively dated 19.05.2016 in Crl.M.P.No.1528 of 2016, by the Vacation Court of Sessions, Kanyakumari District, Nagercoil.

2. The learned counsel appearing for the petitioners submitted that the petitioners were granted anticipatory bail in Cr.M.P.No.1528 of 2016, dated 27.04.2016 by the learned Principal District and Sessions Judge, Nagercoil, on condition that the petitioners should appear before the respondent Police daily at 10.30 am until further orders. Subsequently, the petitioner in Crl.O.P(MD).No.9215 of 2016 filed Crl.M.P.No.1704 of 2016 and the petitioners in Crl.O.P(MD).No.9216 of 2016 filed Crl.M.P.No.1725 of 2016 to relax the condition imposed in Crl.M.P.No.1528 of 2016 and the same has been modified as the petitioners should appear before the learned Judicial Magistrate-III, Nagercoil twice in a month i.e on 1st and 16th of every month at 10.30 am until further orders. In such circumstances, the petitioners have come out with the present petitions to modify the condition imposed on the petitioners in Crl.M.P. (MD).Nos. 1704 and 1725 of 2016 respectively,



dated 19.05.2016 in Crl.M.P.No.1528 of 2016, by the Vacation Court of Sessions, Kanyakumari District, Nagercoil.

3. The learned counsel for the petitioners submitted that the petitioner in Crl.O.P(MD).No.9215 of 2016 is a practising Advocate before this Court and he is going to take treatment for his Kidney problem.

4. The learned Government Advocate (Crl. Side) submitted that the condition already imposed is relaxed directing them to appear before the learned Judicial Magistrate-III, Nagercoil, twice in a month ie. on 1st and 16th of every month at 10.30 am until further orders in Crl.M.P.(MD). Nos. 1704 and 1725 of 2016, respectively, dated 19.05.2016 in Crl.M.P.No.1528 of 2016, by the Vacation Court of Sessions, Kanyakumari District, Nagercoil. . Now, the Charge sheet has been filed and it has been taken on file in PRC No.14 of 2016. Further, the petitioners have filed Crl.O.P(MD).No.8479 of 2016 before this Court, this Court has also granted interim stay on that petition.

5. Heard the learned counsel for the petitioner and also the learned Government Advocate (Crl.side).

6. Considering the fact that the petitioners are complying the conditions regularly and that the charge sheet has been filed and the same has been taken on file in PRC.No.14 of 2016 and that this Court has granted interim stay in Crl.O.P(MD).No.8479 of 2016, the condition imposed by the Vacation Court of Sessions, Kanyakumari District, Nagercoil, that the petitioners should appear before the learned Judicial Magistrate-III, Nagercoil twice in a month i.e on 1st and 16th of every month at 10.30 am until further orders, is hereby relaxed.

7. With the above direction, the Criminal Original Petitions are disposed of.

Sd/
Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Sessions Judge, Vacation Court of Sessions, Kanyakumari District, Nagercoil.
2. The Judicial Magistrate No.III, Nagercoil.
3. The Inspector of Police, Anjugramam Police Station, Kanyakumari District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+2ccs to M/S.G.Murugendran, Advocate in SR.Nos.30335, 30336

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