



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.R.C (MD)No.639 of 2016

Amalraj

.. Petitioner

Vs.

The Sub Inspector of Police,  
Thisayanvilai Police Station,  
Tirunelveli District.

.. Respondent

PRAYER:Criminal Original Petition has been filed under Section 397 and 401 of Cr.P.C., praying to call for the records relating to the order passed by Learned Principal Sessions Court, Tirunelveli in Crl.M.P.NO.3489 of 2016 in Crl.M.P.No.2460 of 2016, dated 23.08.2016 and set aside the same.

For Petitioner :M/s.K.P.Narayanakumar

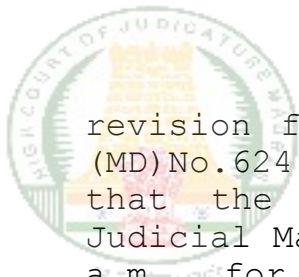
For Respondent :Mr.K.Anbarasan  
Govt. Advocate (Crl. Side)

ORDER

This revision arises out of the order passed by the Principal Sessions Judge, Tirunelveli in Crl.M.P.No.3489 of 2016 in Crl.M.P.No.2460 of 2016, dated 23.08.2016.

2.The petitioner, who is arrayed as accused No.1 in Cr.No.134 of 2016, on the file of the respondent police, was granted anticipatory bail by the Principal Sessions Judge, Tirunelveli in Crl.M.P.No.2460 of 2016, dated 25.05.2016 on condition that he should appear before the Panavadalichatram Police Station daily at 10.00 a.m., for a period of one month and thereafter, to appear on summons. The petitioner filed Crl.M.P.No.3489 of 2016 to condone the absence of the petitioner and permit him to comply the original condition contending that instead of Panavadalichatram police station, the petitioner was reporting before the Pavoorchatram Police Station. The said application was dismissed. Aggrieved over the said order, the petitioner has filed this present Criminal Revision Petition.

3.Mr.K.P.Narayanakumar, learned counsel appearing for the petitioner would submit that the case was registered for the offences under Sections 294(b), 353, 506(ii) of IPC and in the



revision filed by the second accused namely Velmurugan in CrI.R.C (MD)No.624 of 2016, this Court modified the condition to the effect that the revision petitioner shall appear before the learned Judicial Magistrate, Nanguneri, on every Monday and Friday, at 10.30 a.m., for two weeks. The same condition may be imposed on the petitioner.

4.Per contra, the learned Government Advocate (CrI.side) would submit that the Principal Sessions Judge, Tirunelveli granted anticipatory bail to the petitioner on 25.05.2016, but after lapse of three months, this application to condone the absence of the petitioner is filed and therefore, the order passed by the learned Principal Sessions Judge cannot be interfered with.

5.It is seen from the records that a Criminal case in Cr.No.134 of 2016 was registered against the petitioner and two other persons for the alleged offences under Sections 294(b), 353 and 506(ii) of IPC. This Court having felt that the condition was onerous and modified the condition in CrI.R.C.(MD)No.624 of 2016.

6.Considering the above facts, the condition imposed on the petitioner in CrI.M.P.No.2460 of 2016, dated 25.05.2016 is modified to the effect that the petitioner shall appear before the learned Judicial Magistrate, Nanguneri on every Monday and Friday at 10.30 a.m., for a period of two weeks.

7.Accordingly, the Criminal Revision Petition is disposed of.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

am  
To

- 1 The Sub Inspector of Police,  
Thisayanvilai Police Station,  
Tirunelveli District.
- 2 The Judicial Magistrate,  
Nanguneri
- 3 The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 cc to Mr.K.P.NARAYANA KUMAR ,Advocate, Sr.No:52020

JAM/SKS-RR/28.09.16 /2P-5C

<https://hcservices.ecourts.gov.in/hcservices/>

CrI.R.C (MD) No.639 of 2016  
14.09.2016