

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

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THE HONOURABLE MR. **JUSTICE R.MAHADEVAN**

Crl.O.P.No.8099 of 2017

Kutti @ Sivamahendran

... Petitioner

Vs

State by
Inspector of Police,
Omalur Police Station,
Salem District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition imposed upon the petitioner in Crl.MP.No.1224 of 2017 by the Principal Sessions Judge, Salem order dated 13.4.2017.

For Petitioner : Mr.K.Balu

For Respondent : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed to modify the condition imposed on the petitioner by order dated 13.04.2017 passed by the learned Principal Sessions Judge, Salem in Crl.M.P No.1224 of

2017.

2. It is the case of the petitioner that he was implicated as accused in Cr.No.258 of 2017 on the file of the respondent police for the alleged offences punishable under Sections 143, 147, 188, 283, 343, 353 and 506(ii) IPC. Apprehending arrest, he filed a petition in CMP.No.1224 of 2017 before the learned Principal Sessions Judge, Salem seeking anticipatory bail. By order dated 13.04.2017, the learned Judge has granted anticipatory bail to the petitioner subject to certain conditions, one of which is that he have to stay at Namakkal and appear and sign before the Judicial Magistrate No.I, Namakkal on all court working days at 10.30am until further orders. Aggrieved over the same, the petitioner is before this Court with the present petition seeking modification of the said condition.

3. Learned counsel for the petitioner submitted that the petitioner is the sole bread winner of his family and he is employed in his native place. In such circumstances, he finds it difficult to comply with the condition imposed by the learned Judge. Therefore, learned counsel prayed for modification of the same.

4. Heard the learned Additional Public Prosecutor taking notice for the respondent, who submitted that the petitioner is

regularly complying with the condition imposed by the lower court.

5. Considering the facts and circumstances of the case and taking note of the submissions made on either side, this Court is inclined to modify the condition imposed on him, with regard to stay at Namakkal and appear and sign before the Judicial Magistrate No.I, Namakkal daily at 10.30am until further orders, as follows:

"The petitioner shall report before the respondent police daily at 10.30am until further orders."

Except the above, the other conditions remain unaltered.

6. This Criminal Original Petition is disposed of accordingly.

25.04.2017

Index:Yes/No
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To

1.The Principal Sessions Judge, Salem.

2.The Judicial Magistrate No.I, Namakkal.

3.The Inspector of Police,
Omalur Police Station, Salem District.

4.The Public Prosecutor, High Court, Madras.

R.MAHADEVAN, J

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