

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2017

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Criminal O.P.No.4527 of 2017

1. Shajahan
2. Najimabanu

... Petitioners

Versus

The State of Tamil Nadu
Represented by the Inspector of Police,
DCB, Cuddalore,
Cuddalore District.
[Crime NO.410/2017]

.... Respondent

Criminal Original Petition filed under Section 439 (1) (b) Criminal Procedure Code to modify the conditions imposed in the District Munsif cum Judicial Magistrate at Neyveli in CMP No.410 of 2017 dated 30.01.2017.

For Petitioners : Mr. P. Paramasivados.

For Respondent : Mr. C. Emalias
Additional Public Prosecutor

ORDER

The petitioner seeks for modifying the order dated 30.01.2017 of the learned District Munsif cum Judicial Magistrate at Neyveli passed in CMP No.410 of 2017 in Crime No.10 of 2016 in so far as it directs him to appear before the respondent police for a period of fifteen days.

2. The learned counsel for the petitioners submit that the petitioners were also accused in Crime No.526 of 2015 on the file of the Inspector of Police, Central Crime Branch, Vepery, Chennai. According to the learned counsel for the petitioners, on registration of the case in Crime No. 526 of 2015, the petitioners filed Criminal Miscellaneous Petition No.1462 of 2017 in Crime No.526 of 2015 praying to enlarge them on anticipatory bail. By Order dated 30.01.2017 passed in C.M.P.No.410 of 2017, the learned Sessions Judge, Chennai, while granting Anticipatory Bail, directed them to appear before the

respondent police (District Crime Branch, Chennai) daily on 10.00 a.m. for 15 days. According to the learned counsel for the petitioners, the petitioners cannot be directed to appear simultaneously before the District Crime Branch, Chennai as well as the respondent police by travelling the distance of 200 kilometres daily. Therefore, he seeks for modification of the order dated 30.01.2017.

3. On the above contention, this Court heard the learned Additional Public Prosecutor appearing for the respondent.

4. Having regard to the submissions of the learned counsel for both sides, this Court is of the view that the petitioners shall be directed to appear before the respondent police in Crime No.410 of 2017 first and thereafter, shall comply with the directions issued by the learned Sessions Judge, at Chennai in Crime No.526 of 2015. In other words, the petitioners shall appear before the respondent police in Crime No.410 of 2017, before the District Crime Branch, Cuddalore and after 15 days they shall appear before the District Crime Branch, Chennai.

5. With the above directions, the Criminal Original Petition is disposed of.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

vsi2

To

1. The Inspector of Police,
DCB, Cuddalore,
Cuddalore District.

2. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr. P. Paramasivadosh Advocate Sr.No.14959.

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RR(CO)
VS(22.03.2017)