

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.3556 of 2017

G.Kalayappan

[ Petitioner ]

Vs

State by Inspector of Police,  
R-2, Kodambakkam Police Station,  
Chennai.

(Cr.No.34 of 2017)

[Respondent]

Petition filed under Section 439(1)(b) of the Criminal Procedure Code, to modify the order dated 23.01.2017 passed in Crl.M.P.No.113 of 2017 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai instead of appearing before the respondent police to any other Police Station within the T.Nagar jurisdiction.

For Petitioner : Mr.K.Shivakumar

For Respondent : Mr.C.Emalias,  
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed for a direction to modify the order dated 23.01.2017 passed in Crl.M.P.No.113 of 2017 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai to the effect that the petitioner has to appear before any other Police Station within the T.Nagar jurisdiction, instead of appearing before the respondent police, on the ground that the respondent police is harassing the petitioner.

2.The petitioner was arrested for the alleged offences punishable under Sections 406 and 420 of IPC on a complaint given by one Tamil Selvan, and remanded to judicial custody on 06.01.2017. Thereafter, on an application filed before the learned XVII Metropolitan Magistrate, Saidapet, Chennai, the learned Magistrate granted bail to the petitioner on condition that the petitioner should appear before the respondent police daily at 10.00 a.m., until further orders. Now, the petitioner

has come up with this Criminal Original Petition for a direction to appear before any other Police Station instead of the respondent Police Station, on the ground of harassment by the respondent police.

3.Mr.C.Emalias, learned Additional Public Prosecutor, takes notice for the respondent.

4.The allegation of the petitioner against the respondent police is that the respondent police is harassing the petitioner and compelling him to settle the amount. It is made clear that the order passed by the learned XVII Metropolitan Magistrate, Saidapet, Chennai in CrI.M.P.No.113 of 2017 dated 23.01.2017 has to be strictly complied with. Hence, the petitioner is directed to appear before the respondent police daily at 10.00 a.m., until further orders, as already directed by the learned Magistrate. The first appearance of the petitioner before the respondent police, shall commence on 28.02.2017. On such appearance, the respondent police, except marking his presence, shall not harass the petitioner.

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

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

KM

To

1.The Inspector of Police,  
R-2, Kodambakkam Police Station,  
Chennai.

2.The XVII Metropolitan Magistrate,  
Saidapet, Chennai.

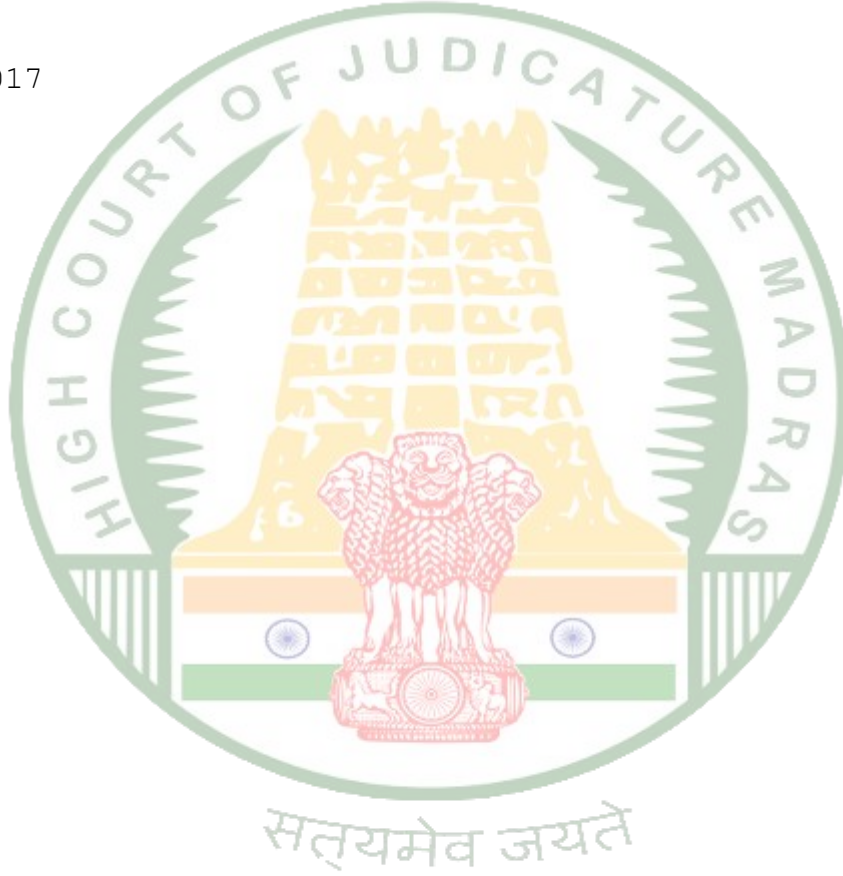
3.-Do- Thro The Chief Metropolitan Magistrate,  
Egmore, Chennai.

4.The Public Prosecutor,  
Madras High Court,  
Chennai-600 104.

+2cc to M/S.K.Shivakumar, Advocate Sr.11605

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ug[co]  
srg 1/3/2017



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