

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.10.2017

CORAM

THE HONOURABLE MR. JUSTICE N.AUTHINATHAN

Crl.O.P. No.22491 of 2017

A.G.Suresh

.. Petitioner

versus

The State rep. by,
Inspector of Police,
Erode Taluk Police Station,
Erode District.

.. Respondent

PRAYER : Criminal Original Petition filed under Section 439(1) (b) of the Code of Criminal Procedure, to modify the condition to report before the respondent police daily at 10.30a.m., and 5.30p.m., for a period of 30 days and thereafter to report at 10.00a.m., for further period of 30 days imposed in the bail order dated 27.09.2017 in Crl.M.P.No.3552 of 2017.

For Petitioner : Mr.N.Manokaran

For Respondent : Mr.B.Ramesh Babu
Government Advocate (crl.side)

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O R D E R

The petitioner was granted bail by the Trial Court for the offences punishable under Sections 406, 420 and 506[1] of IPC, subject to the condition that he should appear before the respondent police daily at 10.30a.m., and 5.30p.m., for a period of 30 days and thereafter, he should appear before the respondent police daily at 10.00a.m., for a further period of 30 days. Aggrieved by the order of the said condition, the present petition has been filed to modify the same.

2. The learned counsel appearing for the petitioner would submit that the first condition, namely, "the petitioner should appear before the respondent police daily at 10.30a.m., and 5.30p.m., for a period of 30 days" is over. The second condition of requiring him to sign before the respondent police

for a further period of 30 days may be deleted, as the case does not require such a stringent condition. According to him, the due has taken place in a commercial transaction and the question of filing criminal case does not arise.

3. The learned Government Advocate [Criminal Side] appearing for the respondent would submit that the investigation is pending.

4. I have perused the order of the Trial Court. Having regard to the nature of allegations and taking note of the fact that the Trial Court has imposed other conditions to ensure the petitioner's presence at the trial, I am inclined to modify the condition. Accordingly, the condition imposed by the Trial Court in CrI.M.P.No.3552 of 2017 dated 27.09.2017 that "the petitioner should appear before the respondent police daily at 10.30a.m. for a further a period of 30 days", is deleted. The other conditions shall remain unaltered.

5. With this direction, this Criminal Original Petition is disposed of.

Sd/-

ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

To

1.The Judicial Magistrate No.I,
Erode.

2.The Inspector of Police,
Government of Tamil Nadu,
Erode Taluk Police Station,
Erode District.

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

VC (16/11/2017)

CrI.O.P. No.22491 of 2017