

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.2526 of 2017

S.Akash ... Petitioner/Accused No.1

Vs

The State, rep by  
The Inspector of Police,  
E-4, Abiramapuram Police Station,  
Chennai. ... Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition imposed by the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, in Crl.M.P.No.58 of 2017 by order dated 19.1.2017 as far as concern to appear the petitioner before the respondent police (E-4, Abiramapuram Police Station) in Crime No.2551 of 2016, on the file of the Inspector of Police, E-4 Abiramapuram Police Station, Chennai, on such terms and conditions.

For Petitioner : Mr.V.T.Balaji

For respondent : Mr.C.Emalias,  
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed to modify the condition imposed on the petitioner in Crl.M.P.No.58 of 2017 dated 19.1.2017 by the learned XXIII Metropolitan Magistrate, Saidapet, Chennai,

2. It is the case of the petitioner that he has filed a petition in Crl.M.P.No.58 of 2017 before the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, seeking bail and the learned Magistrate by order dated 19.1.2017, granted bail to the petitioner on certain conditions. One of the conditions is that the petitioner shall appear and sign before the respondent police station daily at 10.00 a.m., for one month. Seeking

modification of the said condition, the petitioner has come up with the present petition.

3. Learned counsel appearing for the petitioner submitted that in another case, the petitioner was granted bail in CrI.O.P.No.27734 of 2016 by order dated 15.1.2017 on condition that the petitioner shall appear before the learned XIV Metropolitan Magistrate, Egmore, Chennai, on every Monday and Friday at 10.30 a.m., for two weeks. Since the petitioner has to appear before the learned XIV Metropolitan Magistrate, Egmore, Chennai, on every Monday and Friday at 10.30 a.m., for two weeks, he is unable to comply with the condition imposed by the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, viz., the petitioner shall appear and sign before the respondent police station daily at 10.00 a.m., for one month. Thus, he sought to modify the said condition.

4. Learned Additional Public Prosecutor has no serious objection to modify the said condition imposed on the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to modify the said condition imposed on the petitioner.

6. Accordingly, the condition imposed on the petitioner in CrI.M.P.No.58 of 2017 dated 19.1.2017 by the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, viz., " the petitioner shall appear and sign before the respondent police station daily at 10.00 a.m., for one month " is hereby modified as follows:-

" The petitioner shall appear before the respondent police / Inspector of Police, Abiramapuram Police Station, Chennai, on every Wednesday at 10.30 a.m., for a period of one month. "

The other conditions shall remain unaltered. The criminal original petition is ordered accordingly.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

sbi

To

1.The XXIII Metropolitan Magistrate,  
Saidapet, Chennai.

2.The XIV Metropolitan Magistrate, Egmore, Chennai

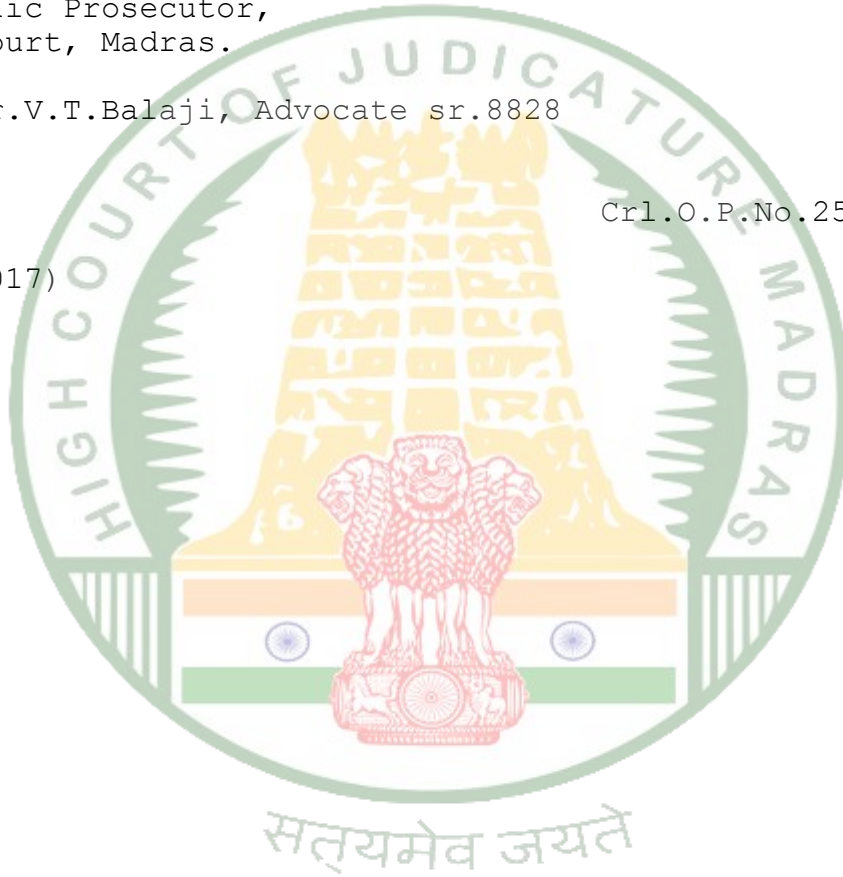
3.The Inspector of Police,  
E-4, Abiramapuram Police Station,  
Chennai.

4.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.V.T.Balaji, Advocate sr.8828

Cr1.O.P.No.2526 of 2017

scd(co)  
ss(10/2/2017)



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