

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.2527 of 2017

S.Akash

... Petitioner/Accused No I

Vs

The State, rep by
The Inspector of Police,
E-1, Mylapore Police Station,
Chennai.

... Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition imposed by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, in Crl.M.P.No.38 of 2016 by order dated 9.1.2017 as far as concern to appear the petitioner before the respondent police (E-1, Mylapore Police Station) in Crime No.2715 of 2016, on the file of the Inspector of Police, E-1, Mylapore 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.38 of 2016 dated 9.1.2017 by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai,

2. It is the case of the petitioner that he has filed a petition in Crl.M.P.No.38 of 2016 before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, seeking bail and the learned Magistrate by order dated 9.1.2017, 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., until further orders. 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 XVIII Metropolitan Magistrate, Saidapet, Chennai, viz., the petitioner shall appear and sign before the respondent police station daily at 10.00 a.m., until further orders. 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.38 of 2016 dated 9.1.2017 by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, viz., " the petitioner shall appear and sign before the respondent police station daily at 10.00 a.m., until further orders " is hereby modified as follows:-

" The petitioner shall appear before the respondent police / Inspector of Police, E.1 Mylapore Police Station, Chennai, on every Tuesday at 10.30 a.m., until further orders."

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

s/d-
Assistant Registrar(CO)

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Sub-Assistant Registrar

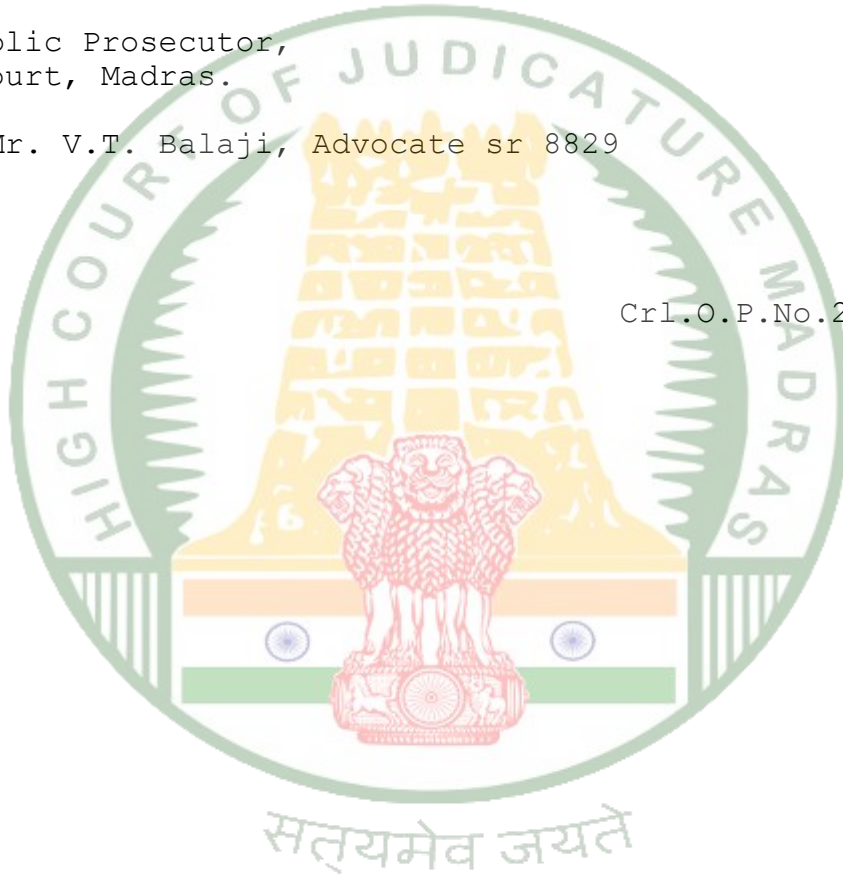
To

1. The XVIII Metropolitan Magistrate,
Saidapet, Chennai.
2. The XIV Metropolitan Magistrate,
Egmore , Chennai
3. The Inspector of Police,
E-1, Mylapore Police Station,
Chennai.
4. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr. V.T. Balaji, Advocate sr 8829

Crl.O.P.No.2527 of 2017

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