

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.2563 of 2017

1.A.Balu
2.Anandhan

.. Petitioners

Vs

State
rep. by the Inspector of Police,
Mahendiramangalam Police Station,
Dharmapuri District. ... Respondent

Petition filed under Section 482 of the Criminal Procedure Code, to modify the condition imposed in Crl.MP.No.1851 of 2016 dated 08.11.2016 on the file of the Principal Sessions Judge, Dharmapuri by allowing the present Criminal Original Petition.

For Petitioners : Mr.K.Suthan

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

ORDER

This Criminal Original Petition has been filed to modify the condition imposed by the learned Principal Sessions Judge, Dharmapuri in Crl.MP.No.1851 of 2016 dated 08.11.2016.

2. The case of the petitioners is that they have been arrayed as accused in a case in Crime No.162 of 2016 on the file of the respondent police for the alleged offences punishable under Sections 147, 148, 447, 294(b), 323, 324 and 506(ii) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. Apprehending arrest, they have moved a petition in Crl.MP.No.1851/2016 before the learned Principal Sessions Judge, Dharmapuri, seeking anticipatory bail. By order dated 08.11.2016, the learned Judge has granted anticipatory bail to the petitioners, subject to certain conditions, one of which, is to deposit Rs.10,000/- by each of the petitioners to the satisfaction of the Judicial Magistrate, Palacode. Aggrieved against the said condition, the present petition came to be filed.

3. Learned counsel for the petitioners submitted that as the petitioners are working as coolies on daily wage basis, they are unable to comply with the conditions imposed by the learned Magistrate. Therefore, learned counsel prayed for modification of the said order.

4. Heard the learned Additional Public Prosecutor who took notice for the respondent.

5. Considering the facts and circumstances of the case and also taking note of the submission made by the learned counsel for the petitioner, this Court is inclined to modify the order passed by the learned Magistrate.

6. Accordingly, this Criminal Original Petition is disposed of, by modifying the order dated 08.11.2016 passed by the learned Principal Sessions Judge, Dharmapuri in CrI.MP.No.1851 of 2016, as follows:

"In the event of arrest of the petitioners or on their surrendering before the concerned court within ten days from the date of receipt of a copy of this order, the petitioners are ordered to be enlarged on bail on executing a bond for a sum of Rs.25,000/- each along with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Palacode and on further conditions that after release, the petitioners shall stay at Dharmapuri and appear and sign before Dharmapuri Town Police Station daily at 10.00 am until further orders and they shall not tamper the witnesses or in any manner interfere with or cause hindrance to the investigation."

Sd/-
Assistant Registrar

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

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To

1. The Principal Session Judge,
Dharmapuri.

2.The Judicial Magistrate, Palacode.

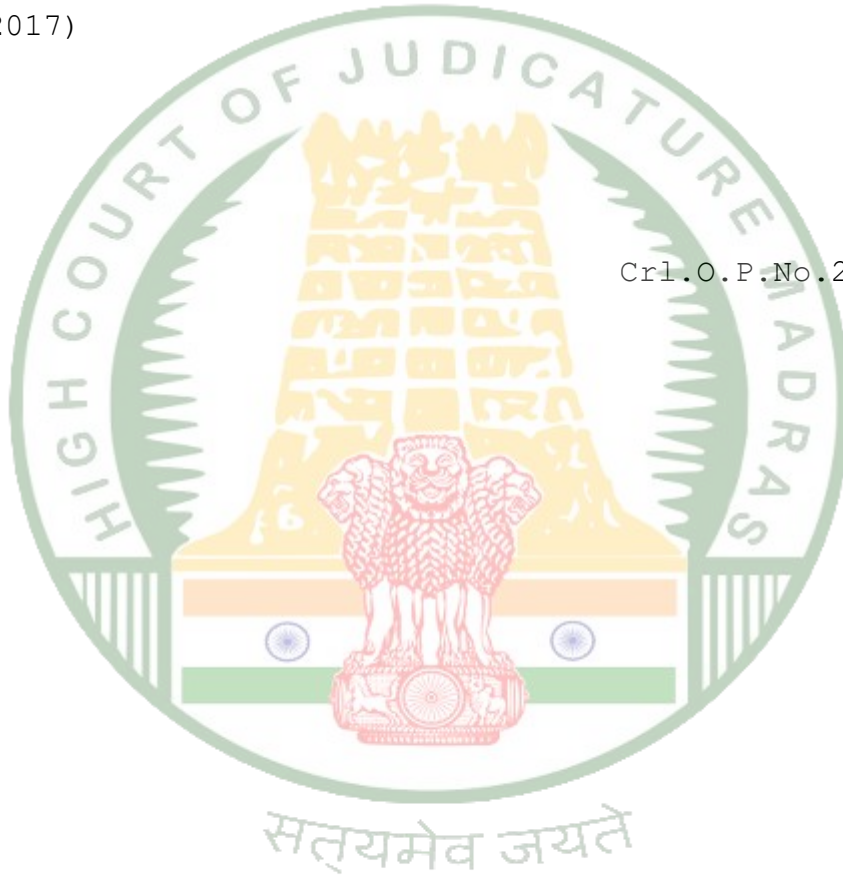
3.The Inspector of Police,
Mahendiramangalam Police Station,
Dharmapuri District.

4. The Inspector of Police,
The Dharmapuri town police Station,
Dharmapuri.

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

+2cc to Mr.Sudhan, Advocate, S.R.No.8214,7973

VGJ(CO)
RS(15/02/2017)



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