

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.12.2017

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THE HONOURABLE MR. JUSTICE N.AUTHINATHAN

Crl.O.P. No.27447 of 2017

Mithun Srinivasan

Petitioner

versus

State by Inspector of Police,
Kelambakkam Police Station,
Kelambakkam,
Kancheepuram District.

Respondent

PRAYER : Criminal Original Petition filed under Section 439(1)(b) of the Code of Criminal Procedure, to modify the order dated 24.11.2017 passed in Crl.M.P.No.474 of 2017 on the file of the learned Judicial Magistrate, Additional Mahila Court, Chengalpattu to the effect that the petitioner shall report before the Inspector of Police, Thirumangalam Police Station, Chennai, instead of appearing before the learned Judicial Magistrate, Additional Mahila Court, Chengalpattu.

For Petitioner : Mr.A.Damodaran

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

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ORDER

The petitioner was granted bail by the Trial Court for the offences punishable under Sections 341, 342 of IPC r/w Section 4 of TNPHW Act, subject to the condition that he should appear before the Judicial Magistrate, Additional Mahila Court, Chengalpattu daily at 5.00p.m., until further orders. 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 petitioner was granted bail in another case in CrI.M.P.No.3605 of 2017 subject to the condition that he should appear before the Inspector of Police, Thirumangalam Police Station, Chennai, morning 10.00a.m. and 5.00p.m. for a period of 20 days and thereafter, he shall sign on last Sunday of every month at 5.00p.m. till filing charge sheet. He would further submit that simultaneously the petitioner could not appear before the learned Magistrate and Thirumangalam Police Station and hence, he pleaded for modification of the said condition.

3. Heard the learned Government Advocate [Criminal Side] appearing for the respondent.

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.474 of 2017 dated 24.11.2017 that "the petitioner should appear before the Judicial Magistrate, Additional Mahila Court, Chengalpattu daily at 5.00p.m., until further orders", is modified to the effect that "the petitioner should appear before the Inspector of Police, Thirumangalam Police Station, Chennai, daily at 5.00p.m. for a period of four weeks and thereafter, as and when required for interrogation". The other conditions shall remain unaltered.

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

Index : Yes / No
Internet : Yes

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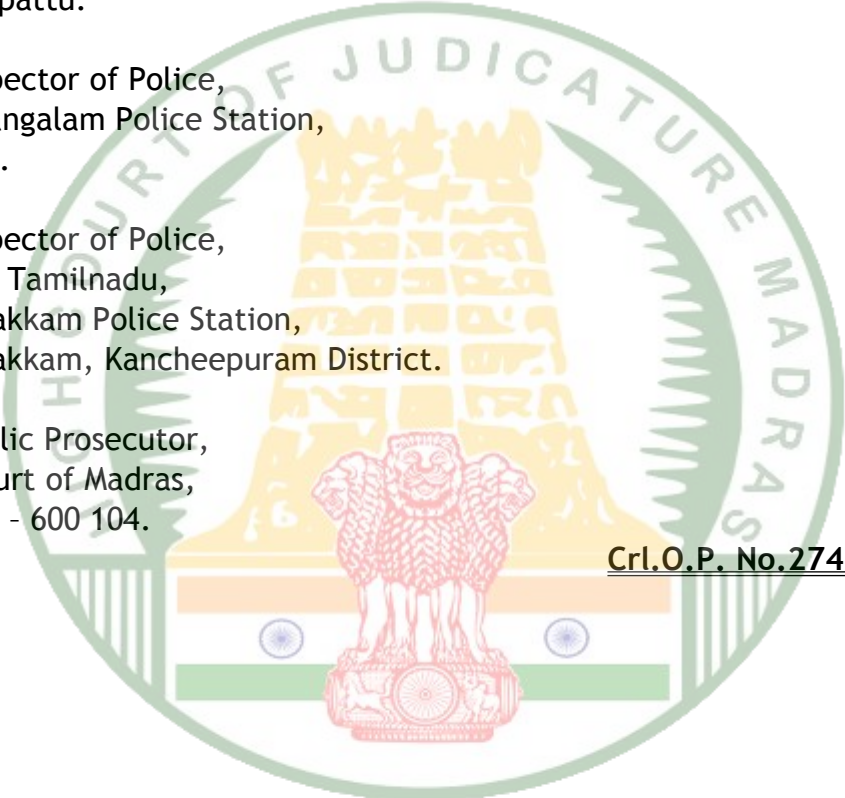
N.AUTHINATHAN, J.

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To

- 1.The Judicial Magistrate,
Additional Mahila Court,
Chengalpattu.
- 2.The Inspector of Police,
Thirumangalam Police Station,
Chennai.
- 3.The Inspector of Police,
State of Tamilnadu,
Kelambakkam Police Station,
Kelambakkam, Kancheepuram District.
- 4.The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

Crl.O.P. No.27447 of 2017

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital of Ashoka in front of it. The lion capital is set against a background of the Indian national flag's saffron, white, and green horizontal stripes, with the Ashoka Chakra in the center. The words "HIGH COURT OF JUDICATURE MADRAS" are inscribed in a green circle around the central image. Below the seal, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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