



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL MP (MD) No.9028 of 2017
IN
CRL OP (MD) No.10776 of 2017

1 S.ARUN
2 R.ESWARAN
3 L.VIGNESH

... PETITIONER/PETITIONER

Vs

1 THE STATE OF TAMIL NADU REP BY
THE ASSISTANT COMMISSIONER OF POLICE,
PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
CR NO. 566/2017.

2 THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION, TIRUNELVELI DISTRICT.

3 MUTHUPALAVESAM ... RESPONDENTS/RESPONDENTS

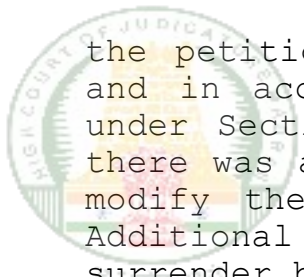
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to Modify the condition passed by this Honourable Court in Crl.O.P. (MD) NO. 10776/2017 dated 24.08.2017.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.N.V.NAGENTHRAN, Advocate for the petitioner and of MR.C.RAMESH Additional Public Prosecutor on behalf of the Respondent 1 & 2 the court made the following order:-

This petition is filed seeking to modify the condition imposed by this Court in Crl.O.P.(MD).No.10776 of 2017, dated 24.08.2017.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the State.

3.The learned counsel appearing for the petitioners submitted that the petitioners pray to modify the earlier order passed by this Court in Crl.O.P.No.10776 of 2017 directing the petitioners to ~~submit the petition to the learned II Additional District Judge, (PCR) Court, Tirunelveli.~~ He further submitted that the learned Judge was directed to pass appropriate orders on the bail petition filed by



the petitioners in connection with Crime No.566 of 2017 on merits and in accordance with law, after issuing notice to the victims under Section 15(A) of SC/ST Act. He further submitted that since there was a life threat to the petitioners, the petitioners pray to modify the earlier order instead of to surrender before the II Additional District Judge, (PCR) Court, Tirunelveli, they wants to surrender before any other competent Court at Madurai.

WEB COPY

4.The learned Additional Public Prosecutor appearing for the respondent police strongly opposed to modify the earlier order that since all the records relevant to this case is pending before the learned II Additional District Judge, (PCR) Court, Tirunelveli and it is difficult for the respondent police to attend the case at Madurai, if the petitioners are surrendered before the Madurai. Therefore, he strongly opposed to modify the earlier order.

5.Considering the nature of the request made by the petitioners, I am not inclined to modify the earlier order. But, the allegation set out in the affidavit filed by the petitioners, I am inclined to direct the respondent police viz., the Inspector of Police, Palayankottai Police Station, Tirunelveli, to give proper police protection to the petitioners for surrendering before the learned II Additional District Judge, (PCR) Court, Tirunelveli and the petitioners are directed to inform the respondent police well in advance before surrender.

6.Time is extended for a period of two weeks for executing the sureties, from the date of receipt of a copy of this order.

sd/-
28/09/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE II ADDITIONAL DISTRICT JUDGE, (PCR) COURT, TIRUNELVELI.
 - 2 THE ASSISTANT COMMISSIONER OF POLICE,
PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION, TIRUNELVELI DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to M/S.N.V.NAGENTHRAN Advocate SR.No.31858

ORDER IN
CRL MP(MD) No.9028 of 2017 IN
CRL OP(MD) No.10776 of 2017
Date :28/09/2017