



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

Friday, the Twenty Seventh day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP (MD) No.9571 of 2017
IN
CRL OP (MD) No.11904 of 2017

BALAKRISHNAN

... PETITIONER/ACCUSED NO.2

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
PULIYARAI POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO.11 OF 2017)

... RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to modify the condition imposed by this Honourable Court against the petitioner in Crl.O.P.(MD).No.11904 of 2017 dated 18.09.17 relating to complying condition

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.R.ALAGUMANI, Advocate for the petitioner and of MR.K.ANBARASAN, Government Advocate (Crl.Side) for the Respondent the court made the following order:-

The Petitioner filed this modification petition to modify the condition imposed by this Court against the petitioner in Crl.O.P. (MD)No.11904 of 2017, dated 08.09.2017 to direct the petitioner to appear before the learned judicial Magistrate, Sengottai, daily twice at morning and evening.

2.The learned counsel appearing for the petitioner would submit that if the petitioner appear before the learned judicial Magistrate, Sengottai, there was a life threat. Hence he prayed for modification petition.

3.The Learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the petitioner involved the murder offence in order to identify the persons on the date of investigation, this Court direct the petitioner to appear before the learned Judicial Magistrate, Senkottai. It amount to delaying the investigation process. Hence he wrongly adduced. He would further submit that the petitioner did not comply not even in the single day before the concerned magistrate.



4.Considering the facts and circumstances of the case and also considering the gravity of the offence , I am not inclined to modify the condition. Accordingly, the petition is dismissed.

sd/-
27/10/2017

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

RMI/DAS
TO

1. THE JUDICIAL MAGISTRATE, SENKOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
3. THE INSPECTOR OF POLICE,
PULIYARAI POLICE STATION, TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/CM/SAR-3-6.11.2017-2P-5C

ORDER
IN
CRL MP (MD) No.9571 of 2017
IN
CRL OP (MD) No.11904 of 2017
Date :27/10/2017