



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2017

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P. (MD) No.13383 of 2017

Harizh Raam @ Harizh

... Petitioner

-vs-

State,

represented by the Inspector of Police,

Trichy 'Q' Branch CID,

Trichy.

Crime No.2 of 2017

... Respondent

Prayer: Criminal Original Petition filed under Section 439(i) (b) of Cr.P.C., praying to modify the condition imposed by the learned presiding Officer/Additonal District and Sessions Judge, EC & NDPS Act Cases, Pudukkottai in Cr.M.P.No.1805 of 2017 dated 18.08.2017.

For Petitioner

: Mr.D.Rameshkumar

For Respondent

: Mr.K.Anbarasan

Govt. Advocate (Cr1.Side)

ORDER

This petitioner has filed this petition to modify the condition imposed by the learned Presiding Officer/Additonal District and Sessions Judge, EC & NDPS Act Cases, Pudukkottai in Cr.M.P.No.1805 of 2017 dated 18.08.2017.

2.The learned counsel for the petitioner submitted that the petitioner has been arrested and remanded to judicial custody by the respondent Police. Subsequently, the petitioner has been enlarged on bail by the order of learned Presiding Officer/Additional District and Sessions Judge, EC & NDPS Act Cases, Pudukkottai in Cr.M.P.No.1805 of 2017, dated 18.08.2017 on condition that the petitioner shall remain in Special camp for foreigner till the disposal of the case.

3.However, the present petition has been filed by the petitioner on the ground that the petitioner is not a foreigner and Section 14-A of Foreigners (Amended) Act would not attract to the petitioner. Hence, the condition imposed by the learned Presiding Officer/Additional District and Sessions Judge, EC &



NDPS Act Cases, Pudukkottai in Cr.M.P.No.1805 of 2017 dated 18.08.2017 is not sustainable. He further submitted that the petitioner is having a permanent address and he is also residing in the same address.

4. Considering the facts and circumstances of the case, this Court is not a competent forum to verify whether the petitioner is a foreigner or not and it cannot be decided in the modification petition, I am not inclined to modify the order passed by the learned Presiding Officer/Additional District and Sessions Judge, EC & NDPS Act Cases, Pudukkottai in Cr.M.P.No.1805 of 2017 dated 18.08.2017.

5. Accordingly, this petition is dismissed.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The learned Presiding Officer/
Additional District and Sessions Judge,
EC & NDPS Act Cases, Pudukkottai.
2. The Inspector of Police,
Trichy 'Q' Branch CID,
Trichy.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High court,
Madurai.

MRN/VSG

VB/SKN/RSK/SAR2/30/10/2017/2P/4C

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