



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2017

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THE HON'BLE Mr.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.15382 of 2017

Selva @ Selvakumar

...Petitioner

-vs-

State through
The Inspector of Police,
Mandapam Police Station,
Ramanathapuram District.
(Crime No.201 of 2017)

...Respondent

Prayer: Criminal Original Petition is filed under Section 439(i)(b) of the Code of Criminal Procedure, to call for the entire records relating to the order passed in Crl.M.P.NO.2544 of 2017 dated 27.10.2017 on the file of the learned Principal District and Sessions Judge, Ramanathapuram and to set aside the same and consequently relax the condition imposed in Crl.M.P.No.2400 of 2017 dated 11.10.2017 on the file of the learned Principal District and Sessions Judge, Ramanathapuram.

For Petitioner : Mr.R.Mathiyalagan

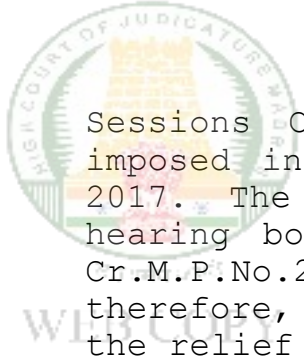
For Respondent : Mr.K.Anbarasan

Govt. Advocate(Crl. Side)

ORDER

This Criminal Original Petition has been filed to set aside the order passed in Crl.M.P.No.2544 of 2017, dated 27.10.2017 on the file of the learned Principal District and Sessions Judge, Ramanathapuram and consequently, relax the condition imposed in Crl.M.P.No.2400 of 2017, dated 11.10.2017, on the file of the learned Principal District and Sessions Judge, Ramanathapuram.

2.The learned counsel appearing for the petitioner submitted that already the learned Principal District and Sessions Judge, Ramanathapuram, granted bail to the petitioner, vide order dated 11.10.2017, in Cr.M.P.No.2400 of 2017, on condition that he should execute a bond for a sum of Rs.30,000/- with two sureties and also he should report before the Thallakulam Police Station, Madurai, daily at 10.00 a.m. and 5.00 p.m. until further orders. He further submitted that after complying with the said condition for a period of 14 days, the petitioner has approached the Principal District and



Sessions Court, Ramanathapuram, for relaxation of the condition imposed in the order dated 11.10.2017, made in Cr.M.P.No.2400 of 2017. The learned Principal District and Sessions Judge after hearing both the parties, vide order dated 27.10.2017, dismissed Cr.M.P.No.2544 of 2017 in Cr.M.P.No.2400 of 2017, for relaxation and therefore, the present petition has been filed before this Court for the relief stated supra. He also submitted that even after dismissal of the relaxation petition, the petitioner is complied with the condition for a period of 30 days and therefore, he prayed for setting aside the order dated 27.10.2017, passed in Cr.M.P.No.2544 of 2017 by the learned Principal District and Sessions Judge, Ramanathapuram.

3.The learned Government Advocate (Criminal side) appearing for the State did not dispute the factual aspects made by the learned counsel appearing for the petitioner.

4.Heard both sides.

5.In view of the abovesaid submission made by the learned counsel for the petitioner, I am inclined to set aside the order passed by the learned Principal District and Sessions Judge, Ramanathapuram, in Cr.M.P.No.2544 of 2017, dated 27.10.2017 and the petitioner is directed to appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter, as and when required for interrogation. Accordingly, this petition is allowed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To:

1.The Principal District and Sessions Judge,
Ramanathapuram.

2.The Inspector of Police,
Mandapam Police Station,
Ramanathapuram District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s. R.MATHIYALAGAN Advocate in SR. No. 86941

VSG

JS/SKN.RSK/SAR.4/21.11.2017/2P-5C