



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.03.2017

CORAM

THE HON'BLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD) No.2718 of 2017

1. Uma Mageshwari

2. Bala @ Bala Krishnan, ... Petitioners/Accused No.1 and 2

-Vs-

State rep by

The Sub Inspector of Police,
Aralvaimozhi Police Station,
Kanyakumari District.
(In Cr.No.36 of 2017)

.. Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to modify the condition imposed against the petitioners in Crl.M.P.No.465 of 2017, dated 10.02.2017 on the file of the District and Sessions Judge, Nagercoil, Kanyakumari District.

For Petitioner : Mr.S.R.Anbarasu

For Respondent : Mrs.S.Prabha,
Government Advocate (Crl. side)

O R D E R

This Criminal Original Petition is filed to modify the condition imposed against the petitioners in Crl.M.P.No.465 of 2017, dated 10.02.2017 on the file of the District and Sessions Judge, Nagercoil, Kanyakumari District.

2) Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

3) The case of the petitioners is that they are arrayed as A-1 and A-2 in Crime No.36 of 2017 on the file of the respondent police for the offence under Sections 147, 447, 427, 379(NP) of I.P.C. They moved an anticipatory bail application before the Court below in Crl.M.P.No.465 of 2017 on the file of the learned District and Sessions Judge, Nagercoil, Kanniyakumari District. While granting anticipatory bail, the learned Judge imposed a condition that the petitioners shall stay at Virudhunagar and appear before the Inspector of Police, Virudhunagar Town Police Station daily at 10.00 a.m., until furthers.



4. The grievance of the petitioners is that the petitioners are nothing to do with the alleged offence and they have been falsely implicated in this case and the first petitioner is a lady and the second petitioner is a only earning member of the family and therefore, they have come forward with the present petition seeking modification of the condition imposed by the Court below.

5. Considering the facts and circumstances of the case, the Condition imposed by the learned District and Sessions Judge, Nagercoil, Kanyakumari District in CrI.M.P.No.465 of 2017 is modified to the effect that the petitioners shall appear before the respondent police once in a week ie., on every Monday at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation.

6. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To:

1. The District and Sessions Judge,
Nagercoil,
Kanyakumari District.

2. The Sub Inspector of Police,
Aralvaimozhi Police Station,
Kanyakumari District.

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

+1cc to M/S.S.R.ANBARASU, ADVOCATE SR.No. 14529

SKM/PM

PSM/BS/21.03.2017/2P/5C

CrI.O.P. (MD) No. 2718 of 2017
13.03.2017