



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2017

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CRL.O.P.(MD)No.2828 of 2017

P.Suresh Kumar

... Petitioner

vs.

The State represented by
The Inspector of Police,
Valliyoore Police Station,
Tirunelveli District.
(Crime No.333 of 2016).

... Respondent

Prayer: The Criminal Original Petition is filed under Section 439 (i)(b) read with 482 of Cr.P.C, to modify the condition imposed by the learned Principal Sessions Judge, Tirunelveli, Tirunelveli District in Cr.M.P.No.923 of 2017 dated 03.03.2017, in which instead of directing the petitioner to report before the respondent police daily once at 5.30 p.m., it may be modified by directing the petitioner to report before the learned Judicial Magistrate, Nanguneri, Tirunelveli District every Monday at 05.30 p.m. for compliance of condition.

For Petitioner

: Mr.A.Kesavan

For Respondent

: Mr.K.V.Rajarajan

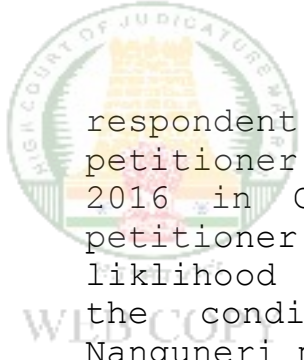
Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition is filed for modification of the condition imposed by the learned Principal Sessions Judge, Tirunelveli in Cr.M.P.No.923 of 2017 dated 03.03.2017, instead of directing the petitioner to report before the respondent police daily at 5.30 p.m., it may be modified by directing the petitioner to report before the learned Judicial Magistrate, Nanguneri, Tirunelveli District every Monday at 05.30 p.m.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

3. The learned counsel for the petitioner submits that the petitioner is a practicing advocate and he has filed a private complaint against the then Inspector of Police attached with the respondent police in C.C.No.275 of 2014 on the file of the learned Judicial Magistrate, Valliyoore, Tirunelveli District. Further, the



respondent police with a personal animosity has implicated the petitioner into three criminal cases in Crime Nos.333 and 334 of 2016 in Crime No.4 of 2017. He further states that if the petitioner appears before the respondent police, there is likelihood of registering another false case against him. Hence, the condition imposed by the learned Judicial Magistrate, Nanguneri may be modified.

4. Considering the facts and circumstances of the case, this Court is inclined to modify the condition imposed by the learned Principal Sessions Judge, Tirunelveli in Cr.M.P.No.923 of 2017, dated 03.03.2017. Accordingly, the condition already imposed on the petitioner is modified to the effect that the petitioner shall appear before the learned Judicial Magistrate, Valliyoor daily at 5.30 p.m. instead of appearing before the respondent police daily at 5.30 p.m.

5. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To

- 1 THE JUDICIAL MAGISTRATE, NANGUNERI.
 - 2 THE JUDICIAL MAGISTRATE, VALLIYOOR.
 - 3 1 and 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
 4. THE LEARNED PRINCIPAL SESSIONS JUDGE,
TIRUNELVELI.
 5. THE INSPECTOR OF POLICE,
VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1cc to M/s.A.KESAVAN, Advocate, in SR No. 14948

AKV

AAM-CM MSA/SAR 4/27.03.2017 2P 8c

CRL.O.P (MD) No.2828 of 2017

16.03.2017