



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.03.2017

CORAM

THE HON'BLE MRS. JUSTICE J. NISHA BANU

Crl.O.P. (MD) No.2871 of 2017

WEB COPY

Selvamariasamy @ Xavier

... Petitioner/Accused No.7

-Vs-

State rep. By
Sub-Inspector of Police,
District Crime Branch Police Station,
Dindigul District.
(Crime No.35 of 2009)

... Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 439(1)(b) of the Code of Criminal Procedure to relax the condition imposed on the petitioner in Crl.M.P.No.352 of 2017 on the file of the Principal Sessions Court, Dindigul District, Dindigul.

For Petitioner : M/s.M.Arul Jenifer
For Respondent : S.Prabha,
Government Advocate (Crl. Side)

O R D E R

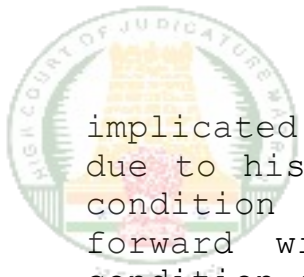
This Criminal Original Petition is filed to relax the condition imposed on the petitioner in Crl.M.P.No.352 of 2017 on the file of the Principal Sessions Court, Dindigul District, Dindigul.

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

3) The case of the petitioner is that the petitioner is arrayed as A-7 in Crime No.352 of 2017 on the file of the respondent police for the offence under Sections 465, 467, 468, 471, 420 and 120(B) of I.P.C. He moved an anticipatory bail application in Crl.M.P.No.352 of 2017 on the file of the Principal Sessions Court, Dindigul District, Dindigul. While granting anticipatory bail, vide order, dated 24.02.2017, the learned Judge imposed a condition that the petitioner shall appear before the learned Judicial Magistrate No.2, Dindigul daily at 10.30. a.m., for a period of thirty days.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The grievance of the petitioner is that the petitioner is nothing to do with the alleged offence and he has been falsely



implicated in this case and he is working as Driver and therefore, due to his avocation, it is difficult for him to comply with the condition imposed by the Court below and therefore, he has come forward with the present petition seeking relaxation of the condition imposed by the Court below.

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5.The learned Government Advocate(Crl. Side) on instructions submitted that in this case investigation completed and charge sheet was filed and the same was taken on file in C.C.No.411 of 2015.

6.Considering the facts and circumstances of the case, the Condition imposed by the learned Principal Sessions Judge, Dindigul District, Dindigul in Crl.M.P.No.352 of 2017 is relaxed and the petitioner shall appear before the trial Court on all hearing dates in C.C.No.411 of 2015 on the file of the learned Judicial Magistrate No.2, Dindigul.

7. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To:

- 1.The Principal Sessions Judge, Dindigul District,
Dindigul
- 2.The Judicial Magistrate No.2, Dindigul.
- 3.Do through the Chief Judicial Magistrate, Dindigul District
4. The Sub-Inspector of Police,
District Crime Branch Police Station,
Dindigul District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.A.Arul Jenifer, Advocate, SR.No.14743

pm

RL/7C/2P/SKN/23.3.2017