



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE A.M.BASHEER AHAMED

CrI.O.P. (MD) No.3622 of 2017

WEB COPY

Nallaperumal

... Petitioner

Vs.

1.The State Rep.by
The Inspector of Police,
EOW - II, Nagercoil,
Kanyakumari District.

2.The Inspector of Police,
EOW II, Madurai District.

... Respondents

PRAYER: The Criminal Original Petition is filed under Section 439 (1) Cr.P.C., to set aside the order dated 15.03.2017 in Cr.M.P.No.815 of 2017 in Cr.M.P.No.113 of 2017 on the file of the Special Court under TNPID Act Cases, Madurai.

For Petitioner	: Mr.B.Anandan
For Respondent	: Mr.P.Kandasamy, G.A..(CrI.side)

O R D E R

This petition is filed to set aside the order dated 15.03.2017 in Cr.M.P.No.815 of 2017 in Cr.M.P.No.113 of 2017 on the file of the Special Court under TNPID Act Cases, Madurai.

2.The petitioner is seeking to modify the conditional order passed by the Special Court under TNPID Act Cases, Madurai in Cr.M.P.No.113 of 2017, directing him to appear before the Inspector of Police, EOW - II, Madurai every Monday, Wednesday and Friday at 10.00 am and 6.00 pm until further orders.

3.The learned counsel for the petitioner submitted that the petitioner is aged about 70 years and also suffering from a disease of dysentery and taking treatment as inpatient in Joe Hospital at Nagercoil and hence, he is not in a position to appear before the respondent Police as ordered by the Special Court under TNPID Act Cases, Madurai. He has produced a Histopathology report to that effect.

4.The learned Government Advocate (CrI.side) appearing for the respondent Police submitted that investigation is still pending.



5. Considering the facts and circumstances of the case and considering the health condition of the petitioner and also his age, this Court is inclined to modify the condition passed by the Special Court under TNPID Act Cases, Madurai in Cr.M.P.No.113 of 2017.

6. Accordingly, the petitioner is directed to appear before the respondent Police as and when required and cooperate with the investigation.

This Criminal Original petition is ordered accordingly.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
EOW - II, Nagercoil,
Kanyakumari District.

2. The Inspector of Police,
EOW II, Madurai District.

+1 CC to Mr.B.Anandan, Advocate, SR No. 18461

NBJ

PSM/SKN/02.05.2017/2P/4C

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