

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.21066 of 2018

1.Murugan
2.Maruthayee
3.Ammasi

.. Petitioners

Vs

The State rep. by
The Inspector of Police,
Mangala Medu Police Station,
Perambalur District.

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for the records and set aside the order made in Crl.M.P.No.754 of 2018 dated 13.08.2018 and consequently modify the condition imposed on the petitioners in Crl.M.P.No.645 of 2018 dated 18.07.2018 passed by the learned Principal District and Sessions Judge, Perambalur.

For Petitioners : Mr.G.Pugazhenthir
For Respondent : Mr.C.Raghavan, GA

O R D E R

The petitioners are accused in Crime No.290 of 2018 for the offences under Section 147, 148, 341, 294[b], 323, 324, 355 and 506[ii] IPC. A1 and A2 have been arrested in this case and have been released on bail. The petitioners, who are A3 to A5 filed Crl.M.P.No.645 of 2018 under Section 438 Cr.P.C. for anticipatory bail, in which, the learned Principal District and Sessions Judge, Perambalur, by order dated 18.07.2018 granted anticipatory bail to the petitioners, on condition that Murugan/A3 and Maruthayee/A4 shall stay at Madurai and appear and sign before the Inspector of Police, Law and Order, Thallakulam Police Station, Madurai daily twice at 10.00 a.m. and 5.00 p.m. until further orders. As regards Ammasi/A5, she was directed to stay at Thuraiyur and directed to appear and sign before the Inspector of Police, Law and Order, Thuraiyur Police Station, Thuraiyur. The petitioners filed Crl.M.P.No.754 of 2018 for modification of the said condition, which has been

dismissed by the Sessions Court on 13.08.2018. Challenging which, the petitioners are before this Court.

2.Heard Mr.Pugazhenthii, learned counsel for the accused and the learned Government Advocate.

3.Learned counsel for the accused submitted that on account of ill health, the petitioners/accused were not able to comply with the condition imposed by the Sessions Court and therefore, they filed an application for modification of the said condition, which has been dismissed by the trial Court.

4.Per contra, learned Government Advocate submitted that the injured has been discharged from the hospital.

5.This Court gave its anxious consideration to the rival submissions. It is seen that Maurthayee/A4 and Ammasi/A5 are ladies. That apart, Ammasi/A5 is aged about 73 years, as could be seen from the date of birth given in the Adhaar Card. Taking into consideration the nature of the allegations in the FIR, this Court is of the view that interest of justice will be served, if the condition qua accused No.4 and 5 is modified to the effect that they shall report before the respondent Police everyday at 10.00 a.m. for a period of two weeks and thereafter, as and when required. Accordingly, the condition imposed on Maruthayee/A4 and Ammasi/A5 is modified to the effect that they shall report before the respondent Police everyday at 10.00 a.m. for a period of two weeks and thereafter, as and when required.

6.As regards Murugan/A3, this petition stands dismissed. He shall comply with the condition imposed by the Sessions Court in the order dated 18.07.2018 in CrI.M.P.No.645 of 2018.

Sd/-

Assistant Registrar(CS IV)

\\ True Copy\\

Sub Assistant Registrar

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To

1.Principal District and Sessions Judge,
Perambalur.

2.The Inspector of Police,
Mangala Medu Police Station,
Perambalur District.

3.The Inspector of Police [L&O],
Thallakulam Police Station, Madurai.

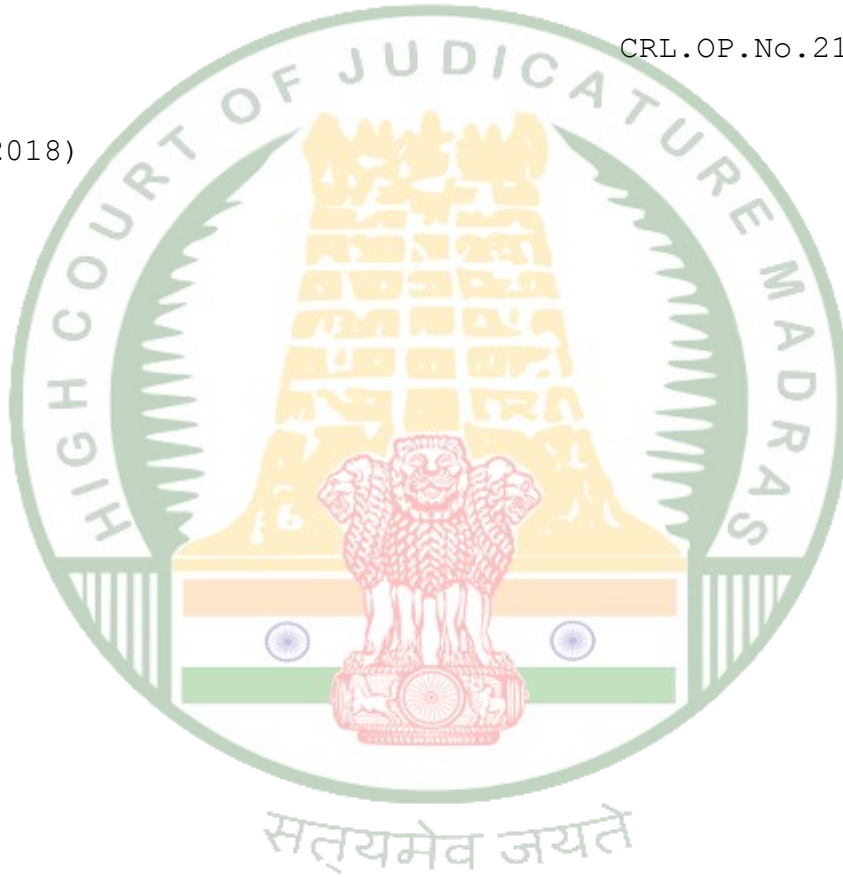
4.The Inspector of Police [L&O],
Thuraiyur Police Station, Thuraiyur.

5.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.G.Pugazhenth, Advocate, S.R.No. 60678(17/09/2018)

CRL.OP.No.21066 of 2018

KAN(CO)
GM(03/09/2018)



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