

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.18074 of 2018

Kanagasundaram

... Petitioner

Vs

The State Rep. by its
The Inspector of Police
Attur Police Station
Salem.

...Respondent

Prayer:Criminal Original Petition filed under Section 482 of Cr.P.C., to modify the condition imposed on 17.04.2018 in C.M.P.No.1261 of 2018 in C.M.P.No.1171 of 2018 in Crime No.141 of 2018, in respect of the petitioner to attend Mediation Centre, Salem on 19.07.2018.

For Petitioner : Mr.M.R.Franklin

For Respondent : Mr.C.Raghavan
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed to modify the condition imposed on 17.04.2018 in C.M.P.No.1261 of 2018 in C.M.P.No.1171 of 2018 in Crime No.141 of 2018, in respect of the petitioner to attend the Mediation Centre, Salem on 19.07.2018.

2. The petitioner was granted interim anticipatory bail on 10.04.2018 by the Principal Sessions Judge, Salem, on condition that the petitioner should appear before the Mediation Centre, Salem along with the de facto complainant, since the de facto complainant is his wife.

3. The petitioner filed CMP.No.1261 of 2018 in CMP.No.1171 of 2018, for modification of the said condition, which has been dismissed by the Principal Sessions Judge, Salem on 17.04.2018 on the ground that the presence of the petitioner before the Mediation Centre is essential.

4. While so, the petitioner has filed the present petition for modifying the said condition on the ground that the petitioner initiated a divorce proceeding against the de facto complainant where also he will have to undergo Mediation proceedings and therefore, it cannot be superfluous.

5. In the opinion of this Court, this petitioner was granted interim anticipatory bail and not regular anticipatory bail. No harm will befall the petitioner, if he appears before the Mediation Centre, Salem, as directed by the Principal Sessions Judge, Salem. Hence, this petition is dismissed. However, liberty is given to the petitioner to approach the Principal Sessions Judge, Salem, for modification of the said condition.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Sessions Judge,
Salem.

2. The Chairman,
Mediation Centre,
Salem.

3. The Inspector of Police,
Attur Police Station,
Salem.

4. The Public Prosecutor
High Court, Madras.

+1cc to Mr.M.R.Franklin, Advocate Sr.47332

Cr1.OP.No.18074 of 2018

mr[co]
srg 30/07/2018