

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.08.2018

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH
Crl.O.P.No.19178 of 2018

Nagamuthu @ Neethinepolyon @ Ammadasan ...Petitioner

vs

The State of Tamil Nadu

Rep. by

The Sub-Inspector of Police

T.Pazhavur Police Station

Ariyalur District.

Crime NO.122/18

... Respondent

Criminal Original Petition has been filed under Section 482 Cr.P.C. to relax the condition imposed on the petitioner in Crl.MP.No.1293 of 2018 on the file of the Principal Sessions Judge, Ariyalur Sessions Division, Ariyalur.

For Petitioner : Mr.E.P.Senniyangiri

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

O R D E R

This Criminal Original Petition has been filed to relax the condition imposed on the petitioner on 24.07.2018 in Crl.MP.No.1293 of 2018 by the Principal Sessions Judge, Ariyalur Sessions Division, Ariyalur.

2. Today, Mr.Thiyagarajan, Sub-Inspector, T.Pazhavur Police Station, Ariyalur District, is present before this Court.

3. The petitioner was arrested in Crime No.122 of 2018 and was enlarged on bail in Crl.MP.No.1116 of 2018 on 28.06.2018 with a direction to appear before the respondent police every day at 10.00 a.m. until further orders. Since the petitioner was having problem with the police, he filed Crl.MP.No.1293 of 2018, seeking modification of the above said condition. Accordingly, the Principal Sessions Judge, Ariyalur, by order dated 24.07.2018, directed the petitioner to appear before the Judicial Magistrate No.I, Jayankondam, daily at 10.00 a.m. until further orders. For modifying the said condition, the petitioner is before this Court.

4. Heard the learned counsel for the petitioner, who submitted that the petitioner is physically indisposed and requires treatment and therefore, the aforesaid condition should be relaxed.

5. Per contra, the learned Government Advocate (Crl. Side) refuted the contention.

6. In the opinion of this Court, the Sessions Court accepted the contention of the petitioner and relaxed the condition, by directing him to appear before the Judicial Magistrate No.I, Jayankondam. Till date, the petitioner has not appeared before the Judicial Magistrate No.I, Jayankondam.

7. In such view of the matter, this Court cannot totally relax the said condition. Hence, the petitioner is directed to appear before the Judicial Magistrate No.I, Jayankondam for a period of two weeks from the date of receipt of a copy of this order. If the petitioner does not appear before the Judicial Magistrate No.I, Jayankondam, it is open to the Sessions Court to cancel his bail and remand him to custody.

With the above directions, this petition is closed.

Sd/-

Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate No.I,
Jayankondam.

2. do thro Chief Judicial Magistrate,
Ariyalur

3. The Principal Sessions Judge,
Ariyalur Sessions Division,
Ariyalur.

4. The Sub-Inspector of Police
T.Pazhavur Police Station
Ariyalur District.

5. The Public Prosecutor
High Court, Madras.

+1 cc to Mr.E.P.Senniayangiri Advocate SR.NO. 52521

Crl.O.P.No.19178 of 2018

BR(CO)

ASK(24/08/2018)

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