

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 07.08.2018

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Criminal Original Petition No.19257 of 2018

Mohamed Khaja Mohideen

.. Petitioner

/versus/

The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
T.Nagar,
Chennai 600 017.

.. Respondent

This petition is filed under Section 439(1)(b) of Criminal Procedure Code praying to set aside the order dated 07.07.2018 in Crl.M.P.No.1675 of 2018 passed by the learned Additional Chief Metropolitan Magistrate, (EOI), Egmore, Chennai 600 008 and to relax the condition of appearance before the respondent totally.

For Petitioner :Mr.M.Abdul Nazeer

For Respondent :Mr.N.P.Kumar,
Spl.PP for(DRI Cases)

ORDER

This Petition for modification of the bail condition imposed in Crl.M.P.No.1675 of 2018, dated 07.07.2018.

2. The learned counsel for the petitioner would submit that this Court, while granting bail to the petitioner imposed the condition that the petitioner shall report before the respondent/complainant weekly twice i.e every Monday and Friday at 10.30 a.m., without fail, until further orders. He would further submit that the petitioner appeared before the respondent daily without any default and the investigation is over and the petitioner's wife is a cancer patient and he has been suffering from paralysis. Therefore, due to his illness, the petitioner is unable to attend before the respondent on all the alternative days. Hence, he seeks for modification of condition "to appear before the respondent instead of appearing before the DRI official, Hyderabad"

3. Heard the learned Special Public Prosecutor for DRI Cases.

4. Considering the submissions made by the learned counsel on either side, the condition imposed on the petitioner in CrI.M.P.No.1675 of 2018, dated 07.07.2018 is modified to the effect that "the petitioner is directed to appear before the Directorate of Revenue Intelligence(DRI officials), Hyderabad on every Monday at 10.00 a.m, for a period of five weeks and thereafter as and when required for interrogation". Except the above said modification, the other conditions imposed on the petitioner shall remains unaltered.

5. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional Chief Metropolitan Magistrate(EOI),
Egmore, Chennai 600 008
2. The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
T-Nagar, Chennai-17
3. Directorate of Revenue Intelligence (DRI officials),
Hyderabad.
4. The Special Public Prosecutor for DRI Cases,
High Court, Madras-104.

+1cc to Mr.M.Abdul Nazeer, Advocate, S.R.No.54694

CrI.O.P.No.19257 of 2018

NM(CO)
CS/16/08/18