

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.30707 of 2018

Nagaraj

... Petitioner

Vs.

State Rep. by:

The Inspector of Police,
R-10, MGR Nagar Police Station,
Chennai 600 083.
Crime No.90/2018

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C. praying to set aside the order passed by the Principal District and Sessions Judge, Chennai in Crl.M.P.No.21127 of 2018 dated 11.12.2018 and relax the condition that the petitioner is directed to appear before the learned II Additional Sessions Court, Chennai, once in a week on every Monday until further orders imposed by the Principal District and Sessions Judge, Chennai in Crl.M.P.No.18570 of 2018 on 31.10.2018.

For Petitioner : Mr.J.B.Solomon Peter Kamal Doss

For Respondent : Mr.Arulmozhi Maran
Government Advocate (Crl.Side)

O R D E R

This petition has been filed by the petitioner/accused to relax the condition which was imposed by the Principal Sessions Judge, Chennai in Crl.M.P.No.18570 of 2018 in S.C.No.226 of 2018, dated 31.10.2018.

2. The learned Sessions Judge has granted bail to the petitioner by the order dated 20.09.2018 in Crl.M.P.No.15794 of 2018 with certain conditions. Subsequently, the conditions were modified as the petitioner should appear before the II Additional Sessions Court, Chennai, once in a week on every Monday at 10.30 a.m., until further orders. Thereafter, the petitioner has filed a petition in Crl.M.P.No.21127 of 2018 to relax the condition fully on the ground that he is having

difficulty to comply with the said condition because he is living in Thiruvannamalai. The learned Principal Sessions Judge by the order dated 11.12.2018, has dismissed the said petition.

3. According to the learned counsel for the petitioner, the petitioner is facing trial for the offence under Section 363 @ 364 and 302 of I.P.C. He further submitted that the petitioner has complied with the condition imposed by the learned Principal Sessions Judge, Chennai, without any deviation from the date on which he was released on bail and hence and he requests to relax the condition fully.

4. The learned Public Prosecutor has fairly conceded that the petitioner has complied with the condition imposed by the learned Principal Sessions Judge without any deviation.

5. Considering the above said facts and circumstances, the condition is fully relaxed and the petitioner is directed to appear before the Trial Court on each and every hearing without fail.

6. Accordingly, this Criminal Original Petition is ordered.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

To

1.The Principal District and Sessions Judge,
Chennai.

2.The Inspector of Police,
R-10, MGR Nagar Police Station,
Chennai 600 083.

+1 cc to Mr.J.B.Solomon Peter Kamal Doss, Advocate Sr.No.90088

SSD(CO)
CSL/24.01.2019

Crl.O.P.No.30707 of 2018