



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

Crl.O.P. (MD)No.1738 of 2018

WEB COPY

1.Guru Velmurugan

2.Sethukarasi

3.Saravanakumari

4.Renukadevi

5.Yogasri @ Yogeswari

... Petitioners / A2,A4 to A7

Vs.

The State rep by  
The Inspector of Police,  
Bazaar Police Station,  
Ramanathapuram District.  
(Crime No.9 of 2018)

... Respondent/Complainant

PRAYER: The Petition filed under Section 439(1)(b) Cr.P.C. to set aside the order passed by the learned Principal District and Sessions Judge, Ramanathapuram in Crl.M.P.No.153 of 2018 dated 25.01.2018 and consequently relax the condition imposed by the learned Principal District and Sessions Judge, Ramanathapuram in Crl.M.P.No.82 of 2018, dated 12.01.2018.

For Petitioners : Mr.A.Uthayakumar

For Respondent : Mr.A.Robinson,  
Government Advocate(Crl.side)

ORDER

This Criminal Original Petition has been filed to set aside the order passed on 25.01.2018 in Crl.M.P.No.153 of 2018 by the learned Principal District and Sessions Judge, Ramanathapuram and consequently, relax the condition imposed in Crl.M.P.No.82 of 2018, dated 12.01.2018.

2.The submissions made by the learned counsel appearing on either side are considered.

3.In the order passed by the learned Principal District and Sessions Judge, she refused to modify the condition imposed on the petitioners 1 to 3 and modified the condition with regard to the



petitioners 4 and 5 directing them to appear before the Bazaar Police Station, Ramanathapuram daily at 10.00 a.m. and 05.00 p.m. until further orders.

4. On perusal of the order passed by the learned Principal District and Sessions Judge, she admitted herself that the petitioners 4 and 5 are having mother feeding children. Now, on going through the offence committed by the petitioners, the case has been registered against them under Sections 147, 148, 294(b), 323, 324 and 506(ii) IPC.

5. So, considering the nature of offence committed by the petitioners, this Court observed that the condition imposed by the learned Principal District and Sessions Judge, is an excessive one. Accordingly, the order passed by the learned Principal District and Sessions Judge, in CrI.M.P.No.153 of 2018 is set aside and modified the condition to the extent that the first petitioner is directed to appear before the respondent Police daily at 10.00 a.m. from the date of receipt of copy of this order, for a period of two weeks and thereafter, as and when required.

6. With regard to other petitioners, considering the fact that they are ladies, the condition imposed on them is entirely relaxed.

7. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,  
Ramanathapuram.

2. The Inspector of Police,  
Bazaar Police Station,  
Ramanathapuram District.  
(Crime No.9 of 2018).

3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.  
+1cc to Mr.A.UTHAYAKUMAR, Advocate, SR.46508

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06.02.2018

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KK/SV MMS/SAR 3/20.02.2018/ 2P- 5C/

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