



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.3940 of 2018

Velayutham

... Petitioner

Vs.

State Rep. by,
The Inspector of Police,
Kallal Police Station,
Sivagangai District.
(Crime No.168 of 2017)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439(1)(b) of the Code of Criminal Procedure, to modify the condition of return of stone pillars and restore the fence imposed by the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi, in Crl.M.P.No.4214 of 2017, dated 24.11.2017, in Crime No.168 of 2017 on the file of the Kallal Police Station, Sivagangai District.

For Petitioner : Mr.C.Jeganathan
for M/s.Veera Associates

For Respondent : Ms.M.Anantha Devi
Government Advocate
(Criminal side)

ORDER

This Criminal Original Petition has been filed by the petitioner seeking to modify the condition of return of stone pillars and restore the fence imposed by the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi, in Crl.M.P.No.4214 of 2017, dated 24.11.2017, in Crime No.168 of 2017 on the file of the Kallal Police Station, Sivagangai District.

2.Heard both sides.

3.The petitioner was implicated in Crime No.168 of 2017 on the file of the respondent police. He surrendered and was granted bail on 24.11.2017. While granting bail, the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi, imposed the condition that the petitioner should return the stone pillars and restore the fence. Imposition of such condition is not warranted while granting bail. Therefore, the said condition shall stand deleted. In all



other respects, the order dated 24.11.2017, passed by the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi, shall stand confirmed.

4.This Criminal Original Petition is allowed accordingly.

Sd/-
Assistant Registrar(W)

/True copy/

Sub Assistant Registrar

To

- 1.The District Munsif-cum-Judicial Magistrate,
Karaikudi.
- 2.The Inspector of Police,
Kallal Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO M/S.VEERA ASSOCIATES, ADVOCATE, SR NO.59112

Cr1.O.P. (MD)No.3940 of 2018
02.04.2018

smn2

MS/KK/SAR-1/13.04.2018/2P.5C