



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

Crl.O.P.(MD).No.4187 of 2018

Selvakumar

.. Petitioner

Vs.

State Represented by
The Sub-Inspector of Police,
Achanpudur Police Station,
Tirunelveli District.
Crime No.42 of 2018.

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 439(1) (b) of Cr.P.C. praying to modify the Condition No.(ii) imposed in Cr.M.P.No.793 of 2018, dated 09.02.2018 on the file of the Principal Sessions Judge, Tirunelveli.

For Petitioner	: Mr.S.Selvakumar
For Respondent	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl. Side)

ORDER

This petition has been filed by the petitioner to modify the condition imposed in Crl.M.P.(MD)No.793 of 2018, dated 09.02.2018, on the file of the learned Principal Sessions Judge, Tirunelveli.

2. The learned counsel for the petitioner would submit that the petitioner is enlarged on bail by the learned Principal Sessions Judge, Tirunelveli, for the alleged offences punishable under Sections 147, 353, 294(b), 379 IPC., and Section 3(1) of TNPPDL Act, in Crl.M.P.(MD)No.793 of 2018, dated 09.02.2018, and they complied the condition from 21.02.2018 till date. He would further submitted that the petitioner is a permanent resident of Tirunelveli and it is difficult for him to stay at Tiruvallur and sign before the learned Judicial Magistrate No.I, Tiruvallur daily twice. He further added that since the petitioner is the only breadwinners of his family and he is the coolie worker at his native place, due to the said condition, he could not maintain his family at his village. Moreover the petitioner is having no previous case. Hence, according to the petitioner, it is much difficult to observe the above said condition. Hence, the learned counsel for the petitioner prays to modify the condition imposed by the Sessions Court.



3. The learned Government Advocate (Criminal Side) appearing for the respondent police on instructions would submit that the petitioner have no previous case and he has no serious objection for allowing the petition.

4. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal Side), the second condition imposed by the learned Principal Sessions Judge, Tirunelveli, is modified as follows:

"the petitioner shall appear and sign before the respondent police, daily at 10.30 a.m., until further orders."

5. Except the above said modification, all the other conditions imposed by learned Principal Sessions Judge, Tirunelveli in CrI.M.P. (MD)No.793 of 2018, dated 09.02.2018 remains unaltered.

Sd/-

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

To

1.The Principal Sessions Judge,
Tirunelveli.

2.The Sub-Inspector of Police,
Achanpudur Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO M/S.S.SELVA KUMAR, ADVOCATE, SR NO.56321

CrI.O.P(MD)No.4187 of 2018
16.03.2018

PJL

MS/SKN-RSK/SAR-4/04.04.2018/2P.5C