



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.03.2018

WEB COPY

CORAM
THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

Crl.O.P.(MD)No.4846 of 2018

Aneesh

... Petitioner / Accused

Vs.

State Represented by
The Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.72 of 2012)

... Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 439(1)(b) of the Code of Criminal Procedure, to modify the condition imposed upon the petitioner by the learned Judicial Magistrate No.II, Madurai, in Crl.M.P.No.4653 of 2017, in Crime No.72 of 2012, dated 21.11.2017 and permit the petitioner to comply with the said condition imposed upon him along with the condition imposed by this Court in Crl.O.P.(MD).No.2211 of 2018 in Crime No.335 of 2012, dated 18.03.2018.

For Petitioner : Mr.C.M.Arumugam

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

ORDER

The Criminal Original Petition has been filed under Section 439(1)(b) of the Code of Criminal Procedure, to relax the condition imposed on the petitioner by the learned Judicial Magistrate No.II, Madurai, in Crl.M.P.No.4653 of 2017, in Crime No.72 of 2012, dated 21.11.2017.

2. The petitioner is arrayed as accused in Crime No.72 of 2012 for the offences punishable under Sections 461, 345, 395, 307 IPC., r/w. Section 27 of Indian Arms Act, on the file of the respondent police. The learned Judicial Magistrate No.II, Madurai, in Crl.M.P.No.4653 of 2017, dated 21.11.2017 granted bail to the petitioner with condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., for three weeks. He further submitted that another case was filed against the petitioner in Crime No.335 of 2012 on the file of the Inspector of Police, Dindigul North Town Police Station, for which, this Court has granted bail in Crl.O.P.(MD).No.2211 of 2018, with the condition that the petitioner is directed to appear before the learned Judicial Magistrate No.II, Dindigul, daily twice in a day, i.e.,



Morning at 10.00 a.m and evening at 5.00 p.m. until further orders. Hence, the petitioner has approached this Court to modify the condition imposed by the Court below and may be direct the petitioner to comply the said condition along with the condition imposed by this Court in Crl.O.P.(MD).No.2211 of 2018 dated 27.02.2018.

4. I have heard the learned Government Advocate (Criminal side) appearing for the respondent on the said submission.

5. Considering the nature of offence committed by the petitioner and also considering the submission of the learned counsel appearing for the petitioner, the condition already imposed on the petitioner by the Court below in Cr.M.P.No.4653 of 2017 dated 21.11.2017 is modified to the extent that the petitioner shall comply the said condition along with the condition imposed by this Court in Crl.O.P.(MD).No.2211 of 2018 dated 27.02.2018. The other conditions remain unaltered. Accordingly, this Criminal Original Petition is ordered.

Sd/
Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Madurai.
2. The Inspector of Police,
Silaiman Police Station,
Madurain District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.4846 of 2018
28.03.2018

PJL
KK/SV MMS/04.04.2018/SAR-4/2P-4C