



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE R. PONGIAPPAN

CRL.O.P(MD)No.591 of 2018

Godfrey

... Petitioner/Accused No.4

Vs.

State represented by,
The Inspector of Police,
Sessions Court Police Station,
Trichy.
Crime No.966 of 2017

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439(1)(b) of the Code of Criminal Procedure, to modify the condition imposed upon the petitioner in Cr.M.P.(MD)No.4601 of 2017, dated 22.12.2017 on the file of the learned Principal Sessions Judge, Trichy.

For Petitioner : Mr.K.Sivabalan

For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (Criminal Side)

O R D E R

This petition has been filed by the petitioner to modify the condition imposed in Cr.M.P.(MD)No.4601 of 2017 dated 22.12.2017 on the file of the learned Principal Sessions Judge, Trichy.

2. The learned counsel for the petitioner would submit that the petitioner is enlarged on bail by the learned Principal Sessions Judge, Trichy, for the alleged offences under Sections 147, 148, 448 and 380 of IPC r/w 3 of TNPPDL Act in Cr.M.P.(MD)No.4601 of 2017, dated 22.12.2017 and he complied the condition from 29.12.2017 to till date. He would further submitted that the petitioner is a sugar patient and he is suffering from severe Dengue for which he produced the medical report with regard to treatment given. He further submitted that due to his health condition, he is not able to comply the condition further. Hence, he prays to modify the condition imposed by the learned Appellate Court.

3. The learned Government Advocate (Criminal Side) appearing for the respondent police on instructions, would submit that the



petitioner is abiding the condition from 29.12.2017 till date without any deviation.

4. The submissions made by the learned counsel on either side are considered. As per the submission made by the learned Government Advocate (Criminal Side), the petitioner is abiding the condition till date without any deviation. Now, the learned counsel for the petitioner wants to change the condition as for appearing before the respondent police. He further submitted that the petitioner is suffering from severe Dengue for which he produced the medical report with regard to the treatment given to the petitioner. Considering the facts and other circumstances and also considering his medical treatment, the condition imposed on the petitioner is modified to the effect that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further further orders, from 01.02.2018.

5. Except the above said modification, all the other conditions imposed by the learned Principal Sessions Judge, Trichy in Cr.M.P.No.4601 of 2017 dated 22.12.2017 remains unaltered. Accordingly, this petition is ordered.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Sessions Judge, Trichy.
2. The Inspector of Police,
Sessions Court Police Station,
Trichy.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

pjl

MV:SKN:SAR3:31/01/2018/2P/4C

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