



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Cr1.O.P.(MD)No.5382 of 2018

1.M.Sudhakar
2.Kasimurugan

... Petitioners/Accused Nos.3&5

Vs.

State Through the
Inspector of Police,
Aruppukottai Taluk Police Station.
(Crime No.43 of 2018)

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439(1) (b) of the Code of Criminal Procedure, to modify the condition imposed by the learned Principal Sessions Judge, Virudhunagar District at Srivilliputhur, in Cr.M.P.No.976 of 2018, dated 05.03.2018.

For Petitioners : Mr.A.V.Arun
For Respondent : Ms.M.Anantha Devi
Government Advocate
(Criminal side)

ORDER

This Criminal Original Petition has been filed by the petitioners seeking to modify the order passed by the learned Principal Sessions Judge, Virudhunagar District at Srivilliputhur, in Cr.M.P.No.976 of 2018, dated 05.03.2018.

2.Heard both sides.

3.By the order impugned in this Criminal Original Petition, the learned Principal Sessions Judge, Virudhunagar District at Srivilliputhur, has imposed a condition that the petitioners should report before the respondent police daily at 6.30 p.m. for 30 days.

4.The learned counsel appearing for the petitioners submitted that since the said case itself is a false case to stall the office bearers of the Society from doing the ceremonies on the date of temple function. Further, the function for the Muthumariamman Temple has started on 01.03.2018 and the petitioners have to conduct the ceremony and inaugural function. He further submitted that the petitioners have complied with the condition for the past 21 days i.e., from 14th March 2018. Unless the said condition is modified,



the petitioners would be put to great hardship and loss.

5. Finding merit in the said submission of the learned counsel appearing for the petitioners, this Criminal Original Petition is allowed and the condition imposed by the learned Principal Sessions Judge, Virudhunagar District at Srivilliputhur, in Cr.M.P.No.976 of 2018, dated 05.03.2018, is modified to the effect that the petitioners shall appear before the respondent police as and when required for interrogation. The other conditions imposed by the learned Principal Sessions Judge, Virudhunagar District at Srivilliputhur, in Cr.M.P.No.976 of 2018, dated 05.03.2018, shall stand unaltered.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Sessions Judge,
Virudhunagar District at Srivilliputhur.
 2. The Inspector of Police,
Aruppukottai Taluk Police Station.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- + 1 CC TO Mr.AV.ARUN, ADVOCATE IN SR No. 60122

SMN2

TE/KKR/SAR-2 : 19/04/2018 : 2P/5C

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