



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Monday, the Twentieth day of August Two Thousand Eighteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.6348 of 2018

IN

CRL OP(MD) No.9549 of 2017

MUNNA ALIAS MOHAMMED RABEEK

... PETITIONER / ACCUSED NO.9

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
CBCID,TIRUNELVELI CITY,
(CRIME NO. 1/2013)

... RESPONDENT / COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to modify the condition imposed by this Honourable Court that the petitioner shall appear before the learned Judicial Magistrate I, Dharmapuri daily at 10.30am on all working days as the petitioner shall report before the learned Special Judge, Special Court for Bomb Blasts Cases, Poonamallee, Chennai, daily at 10.30 am in all working days, until further orders in Crl.MP(MD)No. 3226/2018 dated 25.04.2018 Crl.OP.No. 9549/2017 dated 24.08.17 In Crime NO. 1 of 2013 on the file of the respondent police

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.T.LAJAPATHI ROY, Advocate for the petitioner and of Mr.V.Neelakandan, learned Additional Public Prosecutor on behalf of the Respondent the court made the following order:-

This petition is filed for modification to modify the condition imposed by this Court in Crl.MP(MD)No.3226 of 2018 in Crl.OP(MD) No.9549 of 2017, dated 25.04.2018. Thereby direct the petitioner to appear before the learned Judicial Magistrate No.I, Dharmapuri, daily at 10.30a.m., in all working days.

2. This Court enlarged the petitioner on bail and imposed condition that the petitioner shall report before the learned Special Judge, Special Court for Bomb Blasts Cases, Ponnammalee, chennai, daily at 10.30 a.m in all working days, until further orders.

3. The petitioner, the petitioner filed relaxation petition in Crl.M.P(MD)No.3226 of 2018 and this Court, modify the condition and direct the petitioner to appear before the learned Judicial



Magistrate No.I, Dharmapuri at 10.30a.m, in all working days and further directed the petitioner to report before the Inspector of Police, B1-Town Police Station, Dharmapuri on every Saturday and Sunday at 10.30 a.m., until further orders.

4.Now, the petitioner filed this petition for modification to restore the original condition imposed by this Court by an order dated 24.08.2017, for the reason that the petitioner is working as a daily wage coolie and he has to travel from Dharmapuri to Ponnamalee, Chennai to appear before the Special Judge, Special Court for Bomb Blasts Cases.

5.Mr.V.Neelakandan, learned Additional Public Prosecutor for the respondent would submit that the petitioner is regularly appeared before the learned Judicial Magistrate No.I, Dharmapuri from 05.10.2017 onwards. But, he has not report before the Inspector of Police, B1-Town Police Station, Dharmapuri on Saturdays and Sundays at 10.30a.m.

6.Considering the facts and circumstances, this Court is inclined to modify the conditions and restore the conditions imposed by this Court, while granting bail to the petitioner by an order dated 24.08.2017.

Conditions as follows:

(a) the petitioner shall report before the learned Special Judge, Special Court for Bomb Blasts Cases, Poonamalee, Chennai, daily at 10.30 a.m in all working days, until further orders.

(b) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(c) the petitioner shall not abscond either during investigation or trial.

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law, as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs.State of Keral [(2005) AIR SCW 5560]**.

sd/-
20/08/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE SPECIAL JUDGE,
SPECIAL COURT FOR BOMB BLASTS CASES,
POONAMALIEE, CHENNAI

2 THE JUDICIAL MAGISTRATE NO.I,
DHARMAPURI.

3 THE CHIEF JUDICIAL MAGISTRATE,
DHARMAPURI.

4 THE INSPECTOR OF POLICE
CBCID, TIRUNELVELI CITY,

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. C.C. to M/S.T.LAJAPATHI ROY Advocate SR.No.15798

ORDER

IN

CRL MP (MD) No.6348 of 2018

IN

CRL OP (MD) No.9549 of 2017

Date :20/08/2018

MV:JC:SAR2:29/08/18/2P/7C