



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2018

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR  
Crl.O.P.(MD)No.22179 of 2018

Manikandan

.. Petitioner/Petitioner/Accused

vs.

State through the  
Inspector of Police,  
Jambunathapuram Police Station,  
Trichy District.

(In Crime No.139 of 2018)

.. Respondent/Respondent/  
Complainant

PRAYER : Criminal Original Petition is filed under Section 439(1)(b) of Cr.P.C. to set aside or modify the order passed in Cr.M.P.No.5150 of 2018 dated 01.12.2018 on the file of the Learned Principal Sessions Court Tiruchirappalli in connection with Cr.No.139 of 2018 pending on the file of the Respondent Police by allowing this Criminal Original Petition.

For Petitioner : Mr.A.Joel Paul Antony

For Respondent : Mr.K.Suyambulinga Bharathi  
Government Advocate (crl.side)

#### ORDER

The petitioner has filed this modification petition seeking to set aside the order passed in Cr.M.P.No.5150 of 2018, dated 01.12.2018 on the file of the Learned Principal Sessions Court, Tiruchirappalli in connection with Crime No.139 of 2018 pending on the file of the Respondent Police.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondent.

3.The contention of the petitioner is that the petitioner already filed the Anticipatory Bail petition before the learned Principal Sessions Judge, Trichirappalli in Cr.M.P.No.5034 of 2018 and the learned Judge granted anticipatory bail to the petitioner on condition that the petitioner to stay at Madurai and report before the Tallakulam Police Station, in Madurai District, daily at 10.00 a.m until further orders. Thereafter, the petitioner filed a modification petition in Cr.M.P.No.5150 of 2018 before the learned Principal Sessions Judge, Trichirappalli seeking to modify the condition imposed by the Court, to appear before the Inspector of Police, Tallakulam Police Station, Madurai District instead of appear before the Trichy District, Musiri Police Station or



Thuraiyur Police Station or Thathaiyangarpettai Police Station and the same was dismissed. Against which, the petitioner filed the present petition.

4.The learned counsel for the petitioner submitted that the petitioner is working as Coolie and he is the only breadwinner of his family. The petitioner was affected with viral fever and also taking treatment in Government Hospital, Trichy as out patient. Hence, the petitioner was not able to appear before the Tallakulam Police Station, Madurai District. He also submitted that one of the co-accused obtained anticipatory bail in CrI.O.P.(MD)No.20289 of 2018 and hence, he prayed that the petition may be allowed.

5.In view of the same, the petitioner is directed to appear before the respondent police (Jambunathapuram Police Station, Trichy District) for a period of one week thereafter, as and when required for interrogation.

6.Accordingly, this Criminal Original Petition is allowed.

Sd/

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-I)

To

1.The Principal Sessions Judge,  
Tiruchirappalli

2.The Inspector of Police,  
Jambunathapuram Police Station,  
Trichy District.

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

+1cc to M/S.A.JOEL, Advocate, SR.No. 101779

CrI.O.P. (MD)No.22179 of 2018

LS

KK/SKN/SAR-1/27.12.2018/2P-5C