

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.633 of 2019

Hazar Abbas

... Petitioner

Vs.

State rep. by  
The Inspector of Police,  
Central Crime Branch - II,  
Chennai.  
Crime No.210 of 2018.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) Cr.P.C. praying to modify the condition imposed by the Judicial Magistrate, Alandur in Crl.M.P.No.7013 of 2018 dated 14.12.2018.

For Petitioner : Mr.S.Saranraj

For Respondent : Mrs.M.Prabhavathi  
Additional Public Prosecutor

O R D E R

This petition has been filed for modification of the conditions imposed by the Judicial Magistrate, Alandur in Crl.M.P.No.7013 of 2018 dated 14.12.2018.

2. The learned counsel for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 30.11.2018. Thereafter, the petitioner was granted bail by imposing the following conditions:

"Accordingly petitioner is released on bail on executing a bond for a sum of Rs.10,000/- with 2 sureties for the like sum and on further condition that he shall report before the respondent/ police daily at 10.30 a.m for a period of 30 days. "

The learned counsel for the petitioner would further submit that the petitioner worked in Dubai and lost his job, now he is the only bread winner to look after his family and there is no other source of income to maintain his family and he is also

complying with the condition from 20.12.2018, for more than 20 days. Hence, he seeks for modification of the said condition to 20 days instead of 30 days.

3. The learned Additional Public Prosecutor would submit that the petitioner had committed offence under Sections 12(1) (b), 12(2) of Passport Act and Section 420, 468, 471 IPC and the condition imposed is only for 30 days. Therefore, she sought for dismissal of this petition seeking modification.

4. Considering the above facts and circumstances, this Court is not inclined to modify the conditions imposed on the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.

s/d-  
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

dsa  
To

1. The Judicial Magistrate, Alandur.
2. Do Thro The Chief Judicial Magistrate, Chengalpet.
3. The Inspector of Police,  
Central Crime Branch - II,  
Chennai.
4. The Public Prosecutor,  
High Court of Madras, Chennai.

CRL.O.P.No.633 of 2019

KK(CO)  
SP(07/02/2019)

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