

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.01.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.501 of 2019

Bimal Das

... Petitioner/Accused

-Vs-

The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
T.Nagar, Chennai.

Respondent/Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to set aside the condition imposed in Cr.M.P.No.2818 of 2018 dated 13.12.2018 by the learned Additional Chief Metropolitan Magistrate, EO-II, Egmore, Chennai and consequently, permit the Petitioner to appear on receipt of summons in the above R.R.No.24 of 2018 on the file of the learned Additional Chief Metropolitan Magistrate, EO-II, Egmore, Chennai.

For Petitioner : Mr.Seeni Sulthan

For Respondent : Mr.N.P.Kumar
Senior Standing Counsel

ORDER

This petition has been filed challenging the order passed by the Court below, directing the petitioner to appear and sign before the respondent every Monday and Friday at 10.30 a.m. until further orders.

2. The petitioner was arrested on 04.09.2018 by the respondent for an alleged offence under Section 135 of the Customs Act 1962, and also the Wildlife Protection Act, 1972. The petitioner filed bail petition and by an order dated 25.10.2018, the Additional Chief Metropolitan Magistrate, EO-II, Egmore, Chennai, granted bail to the petitioner by imposing certain conditions. One of the conditions imposed was that the petitioner has to appear daily before the respondent at 10.30 a.m., until further orders. The petitioner after complying with the condition for some time filed a petition for relaxation of the condition. The Court below, on considering the facts and circumstances of the case, modified the condition to the effect that the petitioner should appear and sign before the respondent every Monday and Friday at

10.30 a.m.

3. The learned counsel for the petitioner would submit that this condition has been complied with by the petitioner for more than four weeks and seeks for complete relaxation of the condition.

4. Mr.N.P.Kumar, the learned Senior Standing Counsel appearing for the respondent would submit that the petitioner belongs to West Bengal and therefore, his presence has to be ensured at the time of investigation. The learned counsel would further submit that the investigation is almost in verge of completion and it will take four more weeks for the completion of the investigation. Therefore, the learned counsel submitted that the condition imposed by the Court below should not be completely relaxed.

5. Considering the facts and circumstances of the case, this Court is not inclined to completely relax the condition imposed by the Court below. The condition imposed shall stand modified to the effect that the petitioner shall appear and sign before the respondent on every Friday at 10.30 a.m. for a period of four weeks. Thereafter, the petitioner shall appear before the respondent as and when required.

6. This Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ub/ssr
To

1. The Additional Chief Metropolitan Magistrate, EO-II,
Egmore, Chennai.

2.The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
T.Nagar, Chennai

3. The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.Seeni Sulthan, Advocate SR.No. 2506

Cr1.O.P.No.501 of 2019

A.SK(05/02/2019)