

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.970 of 2019

C.Gajendran

...Petitioner/Petitioner

Vs.

State Rep by its
Inspector of Police,
AWPS Sooramangalam Police Station,
Salem.
(Crime No.16/2018)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to set aside the order dated 05.01.2019 made in CMP.No.4470 of 2018 passed by the Principal Sessions Judge, Salem.

For Petitioner : Mr.S.Viswanathan for
M/s.Dass and Viswa Associates

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed challenging the order passed by the Court below dismissing the petition filed by the petitioner for relaxation of the condition imposed at the time of granting anticipatory bail to the petitioner.

2. The respondent police is investigating the case against the petitioner in Crime No.16 of 2018 for the offences under section 494, 294(b) and 506(i) of IPC. The petitioner filed a petition for anticipatory bail and anticipatory bail was granted with the condition that the petitioner should appear before the respondent police daily at 10.00 a.m., until further orders. This condition was complied with by the petitioner from 10.11.2018 for nearly 31 days. Thereafter, a petition was filed seeking to relax the condition and the same has been dismissed by the court below.

3. Taking into consideration the facts and circumstances of the case, this Court is inclined to interfere with the order passed by the Court below. Accordingly, this Criminal Original Petition is allowed and the order passed by the Court below in CMP.No.4470 of 2018 dated 05.01.2019 is hereby set aside. The condition imposed by the Court below is modified to the extent that the petitioner shall report before the respondent police once in two weeks and the respondent police shall complete the investigation and file a final report within a period of two months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

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To

1.The Principal Sessions Judge, Salem.

2.Inspector of Police,
AWPS Sooramangalam Police Station,
Salem.

3.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.Dass Associates, Advocate SR.No.3853

Cr1.O.P.No.970 of 2019

KJ (CO)
GMY (07/02/2019)