

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.3162 of 2019

M.Kaliraj

... Petitioner

Vs.

State, Rep. by its
The Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur District.
(Cr.No.672/2018)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to relax the condition that the petitioner should appear before the respondent police daily twice at 10.00 a.m. and 5.00 p.m. and sign until further orders, imposed in the order dated 29.10.2018 made in C.M.P.No.1693 of 2018 by the learned Principal Sessions Judge, Tiruppur.

For Petitioner : Mr.M.Vijayaraghavan

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

O R D E R

This Criminal Original Petition has been filed seeking to relax the condition that the petitioner should appear before the respondent police daily twice at 10.00 a.m. And 5.00 p.m. and sign until further orders, imposed in the order dated 29.10.2018 made in C.M.P.No.1693 of 2018 by the learned Principal Sessions Judge, Tiruppur.

2. While granting bail to the petitioner in respect of the offence under sections 147, 294(b), 323 and 506(ii) of IPC and Section 3(1) of TNPPDL Act in Crime No.672 of 2018, the Court below has imposed a condition that the petitioner should appear before the respondent police daily twice at 10.00 a.m. And 5.00 p.m. until further orders. Subsequently, the petitioner has complied the condition regularly from 01.11.2018 except six days as he was suffering from viral fever. Thereafter, he filed a petition in Cr.M.P.No.13 of 2019 before the Court below seeking for relaxing the above condition and the same was dismissed.

After the dismissal of the said petition, the petitioner is regularly complying the above condition.

3.The learned counsel would submit that the petitioner is nothing to do with the alleged offence and he has been falsely implicated in this case. Therefore, he prays for relaxation of the above condition imposed by the Court below.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is regularly complying with the condition imposed by the Court below for 91 days (out of 96 days).

5.Though the petitioner has complied with the condition imposed by the Court below for a period of 91 days, considering the gravity of the offence, this Court is inclined to relax above condition.

6.This Criminal Original Petition is disposed of and accordingly, the condition imposed by the Court below is relaxed in toto.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur District.

2. The Principal Sessions Judge,
Tiruppur.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Vijayaraghavan, Advocate, S.R.No.9909

Cr1.O.P.No.3162 of 2019

GP (CO)
GN(26/02/2019)