

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.06.2019
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.OP No.16464 of 2019

1.Marappan
2.Ravi
3.Sivakumar
4.Chinnathai

.. Petitioners

.Vs.

State by Sub-Inspector of Police,
Bargur Police Station,
Anthiyur Taluk,
Erode District.
Crime No.45 of 2019

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to modify the condition imposed by the learned Principal District and Sessions Judge, Erode that the petitioner shall report before the Court concerned viz., the Judicial Magistrate-II. Court, Bhavani daily once at 10.30 am for a period of 30 days.

For Petitioner : Mr.A.Gokulakrishnan

For Respondent : Mr.M.Mohamed riyaz, APP

ORDER

This Criminal Original Petition has been filed challenging the condition imposed by the Court below while granting anticipatory bail petition to the petitioners

2. The respondent Police registered Cr.No.45 of 2019, for an alleged offence under Section 294(b), 323 and 506(ii) IPC. The petitioners apprehending arrest filed an anticipatory bail petition before the Sessions Court.

3. The Sessions Court on considering the facts and circumstances of the case, granted anticipatory bail subject to certain conditions. One of the condition imposed by the Court below is that the petitioners should report before the learned Judicial Magistrate No.II, Bhavani, daily at 10.30 a.m., for a period of 30 days. This condition has been put to challenge in the present criminal original petition.

4. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing on behalf of the respondent Police.

5. The Court below had granted the anticipatory bail after taking into consideration the age of the 1st petitioner, the avocation of the 2nd petitioner and that the 3rd and 4th petitioners belong to a different place altogether. The Court below also took into consideration the fact that the injured has already been discharged from the hospital. There was also no criminal antecedents against the petitioners.

6. Taking into consideration the facts and circumstances of the case, the condition imposed by the Court below is modified to the extent that the petitioners shall appear before the respondent Police as and when required during the course of investigation. The other conditions imposed by the Court below shall stand as it is. The petitioners are directed to surrender before the concerned Court within a period of 10 days from the date of receipt of copy of this order.

Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (insp cell)

//True Copy//

Sub Assistant Registrar

KP

To

1. The Principal District and Sessions Judge,
Sessions Court,
Erode.
2. The Judicial Magistrate II Court,
Judicial Magistrate II,
Bhavani.

3. The Bargur Police Station,
Anthiyur Taluk,
Erode District.

4. The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.A.Gokulakrishnan , Advocate SR.No. 53209

CrI.O.P.No.16464 of 2019

A.SK(12/07/2019)