

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.23508 of 2019

Sarangan @ Sarangapani

... Petitioner

Vs.

The Inspector of Police,
Vellore South Police Station, Salem.
Vellore District.
(Crime No.157 of 2019)

.... Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition passed in Cr.M.P. No.3702 of 2019 of reporting before the learned Judicial Magistrate No.1, Vellore, Vellore District daily, at 10.30 a.m. and 5.30 p.m. vide order dated 25.07.2019.

For Petitioners: Mr.M.Sathish Kumar

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed seeking for modification of the condition imposed by the Court below while granting bail to the petitioner.

2.The petitioner was arrested and remanded to judicial custody by the respondent police for the offences under Sections 294(b) and 302 of IPC. The petitioner was arrested and the petitioner filed an application for bail.

3.The Court below after considering the facts and circumstances of the case and the antecedents of the petitioner, granted bail to the petitioner by imposing certain conditions.

4.The petitioner is aggrieved by one of the condition imposed by the Court below wherein the petitioner was directed to appear and sign before the learned Judicial Magistrate No.1, Vellore daily at 10.30

a.m. and 05.30 p.m. for a period of thirty days (including holidays).

5.The learned counsel for the petitioner submitted that wife of the petitioner is now pregnant and the child is expected to be born in the month of November, 2019. Therefore, the petitioner wants to be near his wife.

6.The learned Additional Public Prosecutor submitted that the petitioner already has two previous cases and therefore the Court below has taken into consideration the criminal antecedents of the petitioner and imposed a stringent condition and there is no ground to interfere with the same.

7.This Court has carefully considered the submissions made on either side.

8.Taking into consideration the facts and circumstances of the case, the condition imposed by the Court below is modified to the extent that the petitioner shall sign before the Judicial Magistrate No.1, Vellore daily at 10.30 a.m. and 5.30 p.m. from Monday to Friday for a period of four weeks. This modification of condition will enable the petitioner to spend time with his wife on Saturday and Sunday every week.

9.This Criminal original petition is disposed of with the above directions.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ssr
To

1. The Judicial Magistrate No.1,
Vellore, Vellore District

2. Do thro the Chief Judicial Magistrate,,vellore

3.The Inspector of Police,
Vellore South Police Station, Salem.
Vellore District.

3. The Public Prosecutor,High Court, Madras.

+1cc to Mr.Sathish kumar , Advocate SR.No. 74477

CrI.O.P.No.23508 of 2019

A.SK(17/09/2019)