

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Tenth day of October Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice M. GOVINDARAJ

CRIMINAL MISCELLANEOUS PETITION Nos.14449 & 14450 of 2019 in

IN CRL OP.24567/2019

1 KALIYAMMAL
2 M.KALAIVANI
3 P.S.KARTHIKEYAN
4 M.ANANDHAKUMARAN

[PETITIONERS / ACCUSED
IN BOTH THE PETITIONS]

Vs

STATE REPRESENTED BY [RESPONDENT / COMPLAINANT
INSPECTOR OF POLICE, IN BOTH THE PETITIONS]
DISTRICT CRIME BRANCH,
SALEM.
(IN CRIME NO.09/2019)

Petitions praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

[i] modify the condition imposed by this Hon'ble Court by an order made in Crl.OP.No.24567 of 2019 dated 23.09.2019 in so far as requiring the petitioners to report before the respondent police daily at 10.30 a.m. until further orders. [CRL.MP.NO.14449/2019 IN CRL.OP.NO.24567/2019]

[ii] extend the time to appear before the Learned Judicial Magistrate No.VI, Salem.

[CRL.MP.NO.14450/2019 IN CRL.OP.NO.24567/2019]

Order : These petitions coming on for orders upon perusing the petitions and the filed in support thereof and upon hearing the arguments of M/S.M.R.THANGAVEL, Advocate for the petitioners [IN BOTH THE PETITIONS] and of MR. M.MOHAMED MUZAMMIL, Govt. Advocate (Crl. Side) on behalf of the Respondent [IN BOTH THE PETITIONS] the court made the following order:-

Crl.O.P.No.14449 of 2019 is filed to modify the condition imposed by this Court in Crl.O.P.No.24567 of 2019 dated 23.09.2019, requiring the petitioners to report before the Inspector of Police, District Crime Branch, Salem in respect of Crime No.09 of 2019 until further orders.

Crl.O.P.No.14450 of 2019 is filed by the petitioners to extend the time to appear before the learned Judicial Magistrate No.VI, Salem.

2. Learned counsel for the petitioners would submit that this court has granted relief of anticipatory bail to the petitioners in Crl.O.P.No.24567 of 2019 on 23.09.2019 on condition that the petitioners shall report before the respondent police (Inspector of Police, District Crime Branch, Salem) daily at 10.30 a.m., until further orders.

3. He would further submit that in connection with a case in crime No.279 of 2019 on the file of Sankagiri Police Station, on an application moved by the 2nd petitioner, she was granted anticipatory bail in Crl.O.P.No.24183 of 2019 by this Court on condition that she shall report before the respondent police therein (The Sub-Inspector of Police, Sankagiri Police Station) daily at 10.30 a.m., until further orders. Since the 2nd petitioner is required to appear before two different police stations simultaneously, the 2nd petitioner herein seeks to modify the condition imposed upon her and seeks to appear before any one of the respondent police.

4. He would further submit that the 1st petitioner is 90 years old and has been suffering from age related ailments, hence, in respect of 1st petitioner, he prayed to modify the condition to appear before the Judicial Magistrate No.VI, Salem as and when required for interrogation.

5. Further in view of the ensuing holidays during 2nd week of October, the petitioners herein seek to extend the time to appear before the learned Judicial Magistrate No.VI, Salem to execute sureties. Thus he prayed for extending the time to appear before the learned Judicial Magistrate No.VI, Salem.

6. Taking into consideration the facts and circumstances of the case and the submissions made above, this court passes the following order;

(a) Two weeks time is extended for the petitioners to surrender before the Judicial Magistrate No.VI, Salem and execute sureties from the date of receipt of a copy of this order; No further time shall be granted, failing which Anticipatory Bail shall stand dismissed automatically.

(b) The condition imposed on the 2nd petitioner herein that she shall appear before the Inspector of Police, District Crime Branch, Salem is modified to the effect that she shall report before the Inspector of Police, Sankagiri Police Station, Salem District.

(c) The 1st petitioner shall report before the respondent police as and when required for interrogation.

7. The petitions are ordered accordingly.

-sd/-
10/10/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.VI, SALEM

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
SALEM.

5 THE SUB INSPECTOR OF POLICE,
SANKAGIRI POLICE STATION,
SALEM DISTRICT.

+1 C.C. to M/S.M.R.THANGAVEL Advocate on payment of necessary charges SR.No.20904

Order

WEB COPY

in
CRL MP.Nos.14449 & 14450/2019

in
CRL OP.24567/2019

Date :10/10/2019

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