

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2019

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

CRL.O.P. No.32785 of 2019

V.K.Pradeep

... Petitioner/Accused

Vs.

The State rep. by
The Inspector of Police,
District Crime Branch,
Thiruvallur
Thiruvallur District.
(Crime No.25 of 2019)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to modify the order passed in Crl.M.P.No.3272 of 2019, dated 26.11.2019, on the file of the Judicial Magistrate No- I, Ponneri at Thiruvallur, to appear before the respondent police daily at 10.30 a.m. until further orders.

For Petitioner : Mr.J.B.Solomon Peter Kamaldoss

For Respondent : Mr.S.Thankira
Government Advocate (Crl.Side)

O R D E R

This petition has been filed to modify the condition imposed in Crl.M.P.No.3272 of 2019 dated 26.11.2019, on the file of the Judicial Magistrate No- I, Ponneri at Thiruvallur, thereby imposed the condition that the petitioner should appear before the respondent police daily at 10.30 a.m. until further orders.

2. The case of the prosecution is that the petitioner along with other accused cheated the defacto complainant and swindled the public money to the tune of Rs.9,00,000/-. Hence, a case was registered in Crime No.25 of 2019 for the offences under Section 420 r/w 34 of IPC.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 27.09.2019 by the respondent police. Further he would submit that, the petitioner was detained after the statutory period of 60 days and therefore, he filed a petition in Crl.M.P.No.3272 of 2019, for the grant of statutory bail under Section 167(2) Cr.P.C. The learned Judicial Magistrate I, Ponneri at Thiruvallur, was pleased to grant bail to the petitioner by an order dated 26.11.2019. However, while ordering bail to the petitioner, the learned Magistrate imposed condition that the petitioner shall appear before the respondent police

daily at 10.30 a.m. until further orders. The learned counsel appearing for the petitioner would further submit that the petitioner is facing unwanted trouble and hence, he prays to modify the above said condition imposed by the Court below.

4. Per contra, the learned Government Advocate (Criminal Side) would submit that the petitioner has committed very serious offence and hence the learned Magistrate has rightly imposed the above said condition. She would further submit that the investigation is almost completed and the charge sheet yet to be filed by the respondent police. Therefore, she vehemently opposed to modify the condition imposed by the Court below.

5. Considering the submission made on either side, this Court is inclined to modify the condition imposed by the learned Judicial Magistrate I, Ponneri, Thiruvallur, in Crl.M.P.No.3272 of 2019 dated 26.11.2019, to the effect that the petitioner shall appear before the respondent police once in a month ie., on 1st day of every month, until further orders. The other conditions shall remain intact. Accordingly, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar(Cj conf)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Presiding Officer,
Judicial Magistrate Court- I,
Ponneri at Thiruvallur.
2. Do thro the Chief Judicial Magistrate,,Thiruvallur
3. The Inspector of Police,
District Crime Branch,
Thiruvallur
Thiruvallur District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.J.B.Solomon Peter Kamaldoss, Advocate sr.25240

CRL.O.P.No.32785 of 2019

A.SK(19/12/2019)