

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 19.03.2019**

WEB COPY

CORAM**THE HONOURABLE MR. JUSTICE M.DHANDAPANI****Cr1.O.P. (MD)No.4209 of 2019**

L.G.Sarath Inigo through his mother
Dr.Mrs.C.R.Gladys Stella Bai .. Petitioner/Sole Accused
Vs.

1.State represented by
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
(Crime No.105 of 2019) .. Respondent/Complainant

2.Mr.Kathiravan .. Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 439(1)(b) of the Code of Criminal Procedure, to modify the condition imposed by the Learned II Additional District and Sessions Judge (PCR Act Cases), Tirunelveli, in Cr.M.P.No.696 of 2019 vide order dated 14.03.2019 as "as and when required" from directing the petitioner to appear before the learned Judicial Magistrate No.I, Trichy at 10.00 A.M. for the period of 30 days.

For Petitioner : Mr.R.Anand for Mr.M.Eswaran

For Respondent : Mr.K.Suyambulinga Bharathi for R1
Government Advocate (Cr1. Side)

ORDER

This petition has been filed by the petitioner seeking to modify the condition imposed by the Learned II Additional District and Sessions Judge (PCR Act Cases), Tirunelveli, in Cr.M.P.No.696 of 2019 vide order dated 14.03.2019 as "as and when required" directing the petitioner to appear before the learned Judicial Magistrate No.I, Trichy at 10.00 A.M. for the period of 30 days.

2.The learned counsel for the petitioner submits that the Court below has granted bail to the petitioner on 14.03.2019 with certain conditions. One of the conditions is that the petitioner/accused shall appear and sign before the learned Judicial Magistrate No.I, Trichy, daily at 10.00 a.m. for a period of 30 days. Since, the petitioner is in immediate need of medical treatment for the injuries sustained by him, he requested to modify the said condition and the petitioner may be directed to appear before the Judicial Magistrate No.I, Trichy as and when required the presence of the petitioner is insisted by the Judicial Magistrate No.I, Trichy, for



a period of 30 days or the petitioner may be directed to appear before the Inspector of Police, Kulachal Police Station, Kanyakumari District.

3. Considering the above submission of the learned counsel for the petitioner, the condition imposed as 'the petitioner/accused is directed to appear and sign before the learned Judicial Magistrate No.I, Trichy daily at 10.00 a.m. for 30 days' in Cr.M.P.No.696 of 2019 is modified as follows:

'the petitioner/accused is directed to appear before the Inspector of Police, Kulachal Police Station, Kanyakumari District daily at 10.00 a.m. until further orders.'

The order of the Court below is modified to that extent. In other respects, the order of the Court below remains unaltered.

4. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The II Additional District and Sessions Judge (PCR Act Cases), Tirunelveli,
2. The Judicial Magistrate No.I, Tirunelveli.
3. The Judicial Magistrate No.1, Trichy.
4. The Inspector of Police, Palayamkottai Police Station, Tirunelveli District.
5. The Inspector of Police, Kulachal Police Station, Kanyakumari District.
6. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.M.ESWARAN, Advocate, SR.No.55150

Cr1.O.P. (MD) No.4209 of 2019
18.03.2019