



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.OP[MD]No.5196 of 2019

WEB COPY

1.G.Gnana Dhas
2.C.Pitchumani
3.C.Sornappan @ Ratnamoni
4.P.Darwin
5.R.Godwin Kingsly
6.Thankappan
7.Sabeena
8.Thanga Latha
9.Nirmala Devi
10.Kowsalya

... Petitioners/Accused

Vs.

The State represented by
The Inspector of Police,
Kulasekaran Police Station,
Kanyakumari District,
(Crime No.46 of 2019)

... Respondent/Complainant

PRAYER: Petition is filed under Section 439(1)(b) of Cr.P.C, to modify the second condition imposed in Crl.M.P.No.973 of 2019, dated 19.03.2019 directing the petitioners to stay at Sencottai and report before the District Munsif Cum Judicial Magistrate, Sencottai daily at 10.30 a.m.

For Petitioner	: Mr.P.T.Rameshraj
For Respondent	: Mr.K.Suyambulinga Bharathi
	Government Advocate (Crl.side)

O R D E R

This petition is filed to modify the the second condition imposed in Crl.M.P.No.973 of 2019, dated 19.03.2019 directing the petitioners to stay at Sencottai and report before the District Munsif Cum Judicial Magistrate, Sencottai daily at 10.30 a.m.

2.The case of the prosecution is that the defacto complainant's husband is a pastor. During worship, there was a dispute between two groups in which, the petitioners joined together and attacked the defacto complainant's husband. Hence, the compliant.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Heard the learned Government Advocate (Crl.side) for



the respondent.

4.While granting bail, the learned Judge imposed a condition that the petitioner shall stay at Sengottai, appear and sign before the District Munsif-cum-Judicial Magistrate, Sengottai, daily at 10.30 a.m., until further orders. Aggrieved by the same, the present modification petition is filed.

5.The learned counsel for the petitioners submitted that the petitioners are the native of Kanyakumari District and some ladies are falsely implicated in the above said offence along with their husband and their entire family is difficult to stay at Sengottai and appear before the District Munsif-cum Judicial Magistrate, Sengottai. Their livelihood would be affected. Accordingly, they pray for modification petition.

6.Considering the facts and circumstances of the case, the condition imposed on the petitioner is modified to the effect that the petitioners 1 to 6 shall appear and sign before the Kulasekaram Police Station, Nagercoil, daily at 10.30 a.m., until further orders and the petitioners 7 to 10 shall appear and sign before the Kulasekaram Police Station, Nagercoil, as and when required for interrogation. Hence, this petition is ordered accordingly.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Principal Sessions Judge,
Kanyakumari District @ Nagercoil

2.The Judicial Magistrate No.II
Padmanabhapuram

3.The District Munsif cum Judicial Magistrate
Sengottai, Tirunelveli District

4.The Chief Judicial Magistrate
Tirunelveli

5.The Inspector of Police,
Kulasekaram Police Station,
Kanyakumari District.



6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.T.RAMESH RAJA, Advocate (SR-59313[F] dated
05/04/2019)

rmi

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05.04.2019

KM/(12.04.2019) 3P 8C