



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM

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**THE HONOURABLE Mr.JUSTICE M.DHANDAPANI**

Crl.O.P.No.5969 of 2019

Chandrabose

.. Petitioner/Petitioner

Vs

State Rep. by

The Inspector of Police,

Palathur Police Station,

Sivagangai District.

(Crime No.26 of 2019)

.. Respondent/Respondent

Prayer:Criminal Original Petition filed under Section 439(i) (b) of Cr.P.C., to modify the condition imposed against the petitioner as the petitioner shall appear before the respondent police daily at 10.30 a.m., for the period of three weeks in Cr.M.P(MD)No.846 of 2019 order dated 03.04.2019 passed by the Principal Sessions Judge, Sivagangai and the condition may pleased to modify the petitioner to sign before the Judicial Magistrate, Karaikudi, Sivagangai District instead of the petitioner shall appear before the respondent police daily at 10.30 a.m., in Crime No.26 of 2019 on the file of the respondent police.

For Petitioner : Mr.V.Karuna

For Respondent : Mr.K.Suyambulinga Bharathi

Government Advocate (Crl.Side)

### O R D E R

This petition has been filed to modify the condition imposed against the petitioner as the petitioner shall appear before the respondent police daily at 10.30 a.m., for the period of three weeks in Cr.M.P(MD)No.846 of 2019 order dated 03.04.2019 passed by the Principal Sessions Judge, Sivagangai and the condition may pleased to modify the petitioner to signed before the Judicial Magistrate, Karaikudi, Sivagangai District instead of the petitioner shall appear before the respondent police daily at 10.30 a.m., in Crime No.26 of 2019 .



2019 on the file of the respondent police and he was also enlarged on bail in CrI.M.P(MD)No.846 of 2019 dated 03.04.2019 on the file of learned Principal Sessions Judge, Sivagangai, on condition that the petitioner should appear before the respondent police daily at 10.30 a.m., for the period of three weeks.

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3. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) appearing for the respondent.

4.The learned counsel for the petitioner would submit that anticipatory bail was granted to the petitioner on 03.04.2019. On 05.04.2019, Mr.Chandran, the Sub-Inspector of Police went to the petitioner's house and took away the petitioner's brother and other three persons and under the illegal custody for one day night in the police station. Further, the respondent police seized the petitioner's two wheeler from his house. On 06.04.2019 Mr.Pandian, the Sub-Inspector of Police, went to the petitioner's native place, seized one more two wheeler from his broken house. Till date, the petitioner's two wheelers were under the illegal custody of the respondent police. The said Mr.Chandran, registered another FIR against the petitioner in Crime No.26 of 2019 under Section 341, 294 (b) and 506 (ii) of IPC. Hence, the petitioner is pray this Court to modify the condition imposed by the learned Principal Sessions Judge, Sivagangai, and they are ready to sign before the learned Judicial Magistrate, Karaikudi, Sivagangai District.

5. The learned Government Advocate (CrI.Side) for the respondent would submit that the appearance of the petitioner is not necessary. Hence, he has no objection to modify the condition.

6.In view of the submission made by the learned Government Advocate (CrI.Side), the condition imposed by the learned Principal Sessions Judge, Sivagangai is modified as the petitioner shall appear before the learned Judicial Magistrate, Karaikudi, Sivagangai District as and when required for interrogation.

7.With the above modification, this petition is ordered accordingly.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)



To

1. The Principal Sessions Judge,  
Sivagangai.
2. The Judicial Magistrate,  
Karaikudi, Sivagangai District.
3. The Inspector of Police,  
Palathur Police Station,  
Sivagangai District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

DAS

**Crl.O.P.No.5969 of 2019**  
**25.04.2019**

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