



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.5970 of 2019

1.Chandrabose  
2.Shamugaraja

.. Petitioners/Petitioners

Vs

State Rep. by  
The Inspector of Police,  
Palathur Police Station,  
Sivagangai District.  
(Crime No.27 of 2019)

.. Respondent/Respondent

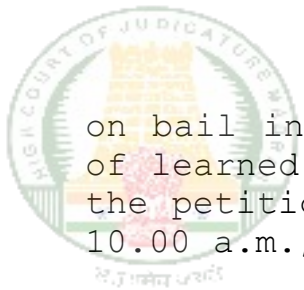
Prayer:Criminal Original Petition filed under Section 439(i) (b) of Cr.P.C., to modify the condition imposed against the petitioners as the petitioners shall appear before the respondent police daily at 10.00 a.m., for the period of three weeks in Cr.M.P(MD)No.927 of 2019 order dated 11.04.2019 passed by the Principal Sessions Judge, Sivagangai and the condition may pleased to modify the petitioners to sign before the Judicial Magistrate, Karaikudi, Sivagangai District instead of the petitioners shall appear before the respondent police daily at 10.00 a.m., in Crime No.27 of 2019 on the file of the respondent police.

For Petitioners : 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 petitioners as the petitioners shall appear before the respondent police daily at 10.00 a.m., for the period of three weeks in Cr.M.P(MD)No.927 of 2019 order dated 11.04.2019 passed by the Principal Sessions Judge, Sivagangai and the condition to modify the petitioners to sign before the Judicial Magistrate, Karaikudi, Sivagangai District instead of the petitioners shall appear before the respondent police daily at 10.00 a.m., in Crime No.27 of 2019.

2. The petitioners were implicated for the offence under Section 341, 304 (b) and 506 (ii) of IPC in Crime No.27 of 2019 on the file of the respondent police and they were also enlarged



on bail in Crl.M.P(MD)No.927 of 2019 dated 11.04.2019 on the file of learned Principal Sessions Judge, Sivagangai, on condition that the petitioner should appear before the respondent police daily at 10.00 a.m., for the period of three weeks.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent.

4. The learned counsel for the petitioners 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 first petitioner's house and took away his brother and other three persons under the illegal custody for one day night in the police station. Further, the respondent police seized the first petitioner's two wheeler from his house. On 06.04.2019 Mr.Pandian, the Sub-Inspector of Police, went to the first petitioner's native place, seized one more two wheeler from his broken house. Till date, the first petitioner's two wheelers were under the illegal custody of the respondent police. Hence, the petitioners are 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 (Crl.Side) for the respondent would submit that the appearance of the petitioners is not necessary. Hence, he has no objection to modify the condition.

6. In view of the submission made by the learned Government Advocate (Crl.Side), the condition imposed by the learned Principal Sessions Judge, Sivagangai is modified as the petitioners 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 (CO)

// True Copy //

Sub Assistant Registrar(CS-I)

To

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.

DSS

**CrI.O.P.No.5970 of 2019**  
**25.04.2019**

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