



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 07/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.7688 of 2019

1. Ramadoss,,
S/o.Kalimuthan, Kavarankulam,
Thoruvallur, Ramanathapuram District.
2. Thiyagarajan,,
S/o.Paramasivam, Kavarankulam,
Thoruvallur, Ramanathapuram District.
3. Saravanakannan,,
S/o.Nagarajan, Kavarankulam, Thoruvallur,
Ramanathapuram District.
4. Chandran,
S/o.Kuppu, Kavarankulam, Thoruvallur,
Ramanathapuram District.
5. Yesupatham,,
S/o.Vethamuthu, Kavarankulam,
Thoruvallur, Ramanathapuram District.
6. Murugesan,,
S/o.Raman, Kavarankulam, Thoruvallur,
Ramanathapuram District.
7. Chellaiya,,
S/o.Kilavan, Kavarankulam, Thoruvallur,
Ramanathapuram District.
8. Madasamy,,
S/o.Muthu, Kavarankulam, Thoruvallur,
Ramanathapuram District.
9. Alagu,,
S/o.Alagan, Kavarankulam, Thoruvallur,
Ramanathapuram District.
10. Ganapathy,,
S/o.Karuthal, Kavarankulam, Thoruvallur,
Ramanathapuram District.



11. Alagar,,
S/o.Kilavan, Kavarankulam,
Thoruvalur,
Ramanathapuram District.

... Petitioners/Accused

Vs

The Inspector of Police,
Bazaar Police Station,.
Cr.No.82/2019,
Ramanathapuram District

... Respondent/Complainant

For Petitioner : M/s.M.Subash Babu,
Advocate.

For Respondent : M.Anantha Devi,
Govt.Advocate (Cr1.Side).

PETITION FOR BAIL Under Sec.439 Cr.P.C.

PRAYER :-

To modify the condition imposed by the Learned Principal District and Sessions Judge, Ramanathapuram in Cr.M.P.No.1300/2019 as to appear before the respondent police instead of stay at Salem and appear and sign before the Learned Judicial Magistrate No.I, Salem daily at 10.00 a.m and 5.00 p.m until further orders and allow this petition.

ORDER : The Court Made the following order :-

This petition has been filed to modify the condition imposed by the learned Vacation Sessions Judge(Principal Sessions Court), Ramanathapuram in Cr.M.P No. 1300 of 2019 as to appear before the respondent police instead of stay at Salem and appear and sign before the learned Judicial Magistrate No.I Salem daily at 10.00 a.m and 5.00 p.m until further orders

2. The learned counsel for the petitioners would submit that the fourth petitioner is a mentally retarded person and the petitioners 5 and 6 are aged persons. He further submits that a case has been registered based on the complaint given by the opposite party due to quarrel while playing kabadi. He further submitted that a counter case has also been registered and now the matter has been settled between the parties and there is no tension prevailing in that locality. He would further submit that the learned Vacation Sessions Judge(Principal Sessions Court), Ramanathapuram by an order dated 30.05.2019 in Cr.M.P.No.1300 of 2019 directed the petitioners to stay at Salem and appear and sign before the learned Judicial Magistrate No.I, Salem daily at 10.00 a.m and 5.00 p.m until further order, hence he prayed for modification of the said condition. He would further submit that the opposite party was

released on bail and no such condition was imposed for them.

3.The learned Government Advocate(Crl.Side) would submit that even as per the petition the fourth petitioner is a mentally retarded person and the petitioners 5 and 6 are aged persons, but there is no difficulty for other petitioners to stay at Salem. However, she fairly conceded that now peace is prevailing in that locality and there is no law and order problem in that village. She would also submit that the opposite parties were granted bail without any condition.

4.Considering the submissions of the learned counsel for the petitioners that the matter has been compromised between the parties and peace is prevailing in that locality, this Court is inclined to modify the condition imposed by the Vacation Sessions Judge(Principal Sessions Court), Ramanathapuram dated 30.05.2019 in Cr.M.P.No.1300 of 2019 to the effect that the petitioners shall report before the respondent police daily at 10.30 a.m until furthers. All other conditions in the said order shall remain intact.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

TO

1. The Principal Sessions Judge
Ramanathapuram
2. Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.
3. The Inspector of Police,
Bazaar Police Station, in Cr.No.82/2019,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.M.Subash Babu , Advocate SR.No.67571

ORDER

IN

CRL OP(MD) No.7688 of 2019

Date : 07/06/2019