



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/08/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.11682 of 2019

Babu Alias Muthu,
S/o.Sudalaimuthu, 15/59, 4th Street,
Gandhinagar, Pettai, Tirunelveli,
Tirunelveli District.

... Petitioner/Accused

Vs

The Inspector of Police,
All Women Police Station Town,
Tirunelveli District
Crime No.5 of 2019).

... Respondent/Complainant

For Petitioner : M/s. P. Pethu Rajesh,
Advocate.

For Respondent : Ms.Anantha Devi,
Government Advocate (Crl.Side)

PETITION FOR MODIFICATION Under Sec.439(1) (b) of Cr.P.C

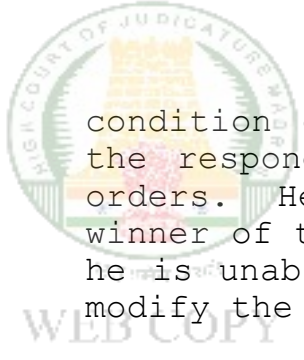
PRAYER :-

To modify the condition imposed by the Learned Judicial Magistrate No.5, Tirunelveli dated 26.07.2019 in CRL.M.P.No.10746 of 2019

ORDER : The Court Made the following order :-

This petition has been filed to modify the condition imposed by the Learned Judicial Magistrate No.5, Tirunelveli dated 26.07.2019 in CRL.M.P.No.10746 of 2019.

2. The learned counsel for the petitioner would submit that the petitioner was granted bail by the learned Judicial Magistrate No.V, Tirunelveli in Cr.M.P.No.8760 of 2019 on 01.07.2019 with a condition to report before the respondent police daily at 10.00a.m., for a period of two months. Subsequently he has filed another petition in Cr.M.P.No.10749 of 2019 to relax the condition imposed on the petitioner and the learned Magistrate has modified the



condition on 26.07.2019 directing the petitioner to appear before the respondent police on every Sunday at 10.00 a.m until further orders. He further submitted that the petitioner is the only bread winner of the family and he has take care of his aged parents, hence he is unable to comply with the conditions. Therefore, he prays to modify the said condition.

3. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner is complying the condition without any deviation, the condition imposed by the learned Judicial Magistrate No.V, Tirunelveli in Cr.M.P.No.10746 of 2019 is modified to the effect that the petitioner shall report before the respondent police on first Sunday of every month at 10.30 a.m until further orders. All other conditions in the said order shall remain unaltered.

Sd/-
Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION TOWN,
TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.P. Pethu Rajesh, Advocate SR.No. 83391

ORDER
IN
CRL OP(MD) No.11682 of 2019
Date : 26/08/2019

AAV
JM/28.08.2019/2P/6C