



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction

Monday, the Sixteenth day of December Two Thousand and Nineteen

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.18824 of 2019

1.Kannan

2.Mani

3.Chitra @ Chitra Devi

.. Petitioners/Petitioners/Accused No.1 to 3

Vs

1.The Deputy Superintendent Of Police,
Samayanallur Circle
Madurai District

2.The Inspector of Police
Nagamalai Pudukottai Police Station
Madurai District
(Crime No.539 of 2019)

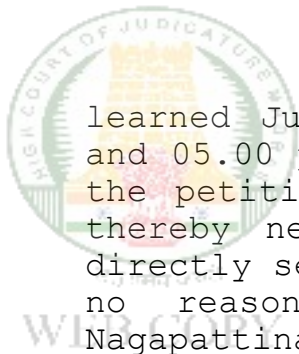
... Respondents/Respondents/Complainants

Prayer :-

This Petition is filed Under Section 482 of Criminal Procedure Code praying to modify the condition imposed in Cr.M.P.No.1412/2019 dated 11.12.2019 passed by the III Additional District and Sessions Judge (PCR) Madurai in so far as the condition directing that the petitioners shall appear and sign before the Judicial Magistrate No.I, Nagapattinam daily at 10.00 A.M and 5.00 P.m without fail until further orders and right of filing of modification petition will arise after 30 days of the conditional order.

ORDER:- This Petition coming up for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.Gandhi, Advocate for the Petitioner and of Mr.S.Chandrasekar, Additional Public Prosecutor for the respondents, this Court made the following order:

The learned counsel appearing for the petitioners would submit that though the Court below has found that no *prima facie* material is available against the petitioners for having instigated or abetted the victim for committing suicide, the trial Court taking into consideration the strong objection filed by the defacto complainant and the learned Special Public Prosecutor had directed the petitioners to stay at Nagapattinam and report before the



learned Judicial Magistrate No.I, Nagapattinam daily at 10.00 a.m and 05.00 p.m without fail. Further, the Court has also restricted the petitioners from filing modification for a period of 30 days, thereby necessitating these petitioners to approach this Court directly seeking modification. He would further submit that there is no reasonableness in directing the petitioners to stay at Nagapattinam and report before the learned Judicial Magistrate No.I, Nagapattinam daily at 10.00 a.m and 05.00 p.m which is 300 k.m., away from Madurai. He would further submit that the petitioners are poor and the third petitioner is having two small school going children and they would seek for modification.

2. Considering the facts and circumstances of the case and in view of the aforesaid submission, the condition 15(2) alone is modified as below:

“the petitioners shall report before the learned Judicial Magistrate, Thirumangalam daily at 10.00 a.m., until further orders. All other conditions remain unaltered.”

3. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

TO

1. The Deputy Superintendent of
Police Samayanallur Circle Madurai
District
2. The Inspector of Police
Nagamalai Pudukottai Police Station Madurai District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

Copy to:1.The Judicial Magistrate, Thirumangalam
2.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai



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+ lcc to Mr.R.Gandhi, Advocate, Sr.No.105256

ORDER DATED : 16/12/2019
MODIFICATION

CRL OP(MD).No.18824 of 2019

Giving direction and etc.
as stated within.

KK/SAR/17.12.2019/3P-7C/