

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.06.2020

CORAM

THE HONOURABLE MR. JUSTICE **M. NIRMAL KUMAR**

Crl.M.P.No.4112 of 2020

in Crl.O.P.No.7602 of 2020

1.Syed Samsutheen @ Syath Samsu,
S/o.Syed hHbeeb,
Jai Nagar, Kitchipalayam,
Salem.

2.Mhamuth Uvaisi,
S/o.Abdul Salam,
Pathima Nagar, Kitchipalayam,
Salem.

3.Abdul Salam,
S/o.Abdul Khader,
Pathima Nagar, Kitchipalayam,
Salem.

4.Sabir Basha,
S/o.Ansar Basha,
Lakshmi Street,
Salem.

... Petitioners/Accused
No.14 to 17

Vs.

State represented by
The Inspector of Police,
B3, Kitchipalayam Police Station,
Salem.
(Crime No.229 of 2020)

... Respondent

Criminal Miscellaneous Petition filed under Section 482 Cr.P.C. to relax the bail conditions (b) the petitioners shall not leave the Chennai city, until further orders and (d) the petitioners shall inform about their residence in Chennai to the Commissioner, Corporation of Chennai and the petitioners shall put themselves in quarantine in the given residential address imposed in Crl.O.P.No.7602 of 2020 vide order dated 15.05.2020 and relax the same by permitting the petitioners to travel within India to enable them to go to their home town in Salem.

For Petitioners : Mr.K.M.Aasim Shenzad
For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

ORDER

The petitioners, who are A14, A15, A16 and A17 in Crime No.229 of 2020 have filed this criminal miscellaneous petition to relax the bail conditions (b) the petitioners shall not leave the Chennai city, until further orders and (d) the petitioners shall inform about their residence in Chennai to the Commissioner, Corporation of Chennai and the petitioners shall put themselves in quarantine in the given residential address, imposed on them by order dated 15.05.2020 in Crl.O.P.No.7602 of 2020.

2. The learned counsel appearing for the petitioners submitted that due to the conditions imposed on them, the petitioners, who are residents of Salem District, unable to meet their families and without financial support, they have been facing great difficulty for their day-to-day survival. He further submitted that the petitioners 1 to 4 are Baker, aspirant of TNPSC exams, Blacksmith and Marketing Manager, respectively and they were not able to

carry on with their work, due to which, they have been deprived of their earnings and therefore, the petitioners as well as their families are put to undue hardship.

3. The learned counsel appearing for the petitioners further submitted that the first petitioner does not have any valid passport and he informed the same to the Superintendent of Prison concerned while executing the bond. The other three petitioners had surrendered their respective passport to the Superintendent of Prison concerned while executing the bond. He further submitted that the petitioners are now residing at Madarsha Falah, Moore Street, 37, 4th Beach Road, Near Clive Battery, Chennai -1.

4. The petitioners have filed an affidavit giving their residential address at Salem, which reads as follows:

<i>S.No.</i>	<i>Petitioners</i>	<i>Residential Address</i>
1	Syed Samsutheen @ Syath Samsu	No.463, Near Aisha Bakery, Kalikoundarkadu, Kalarampatti, Erimapalayam Main Road, Salem – 636015.
2	Mhamuth Uvaisi	No.211/2B, Fathima Nagar, SanyasiKundu Post, Salem – 636015.
3	Abdul Salam	No.211/2B, Fathima Nagar, SanyasiKundu Post, Salem – 636015.
4	Sabir Basha	No.86/1, Muthuvalli Mohammed Yakoob Street, Lakshmi Nagar, Salem – 636001.

Further, in the affidavit, they have stated that they have not affected by COVID-19 and they have also sworn that they themselves make their own arrangement for transportation from Chennai to Salem and sought modification/relaxation of the bail conditions imposed on them by this Court.

5. Taking into consideration the present situation of the petitioners and the supporting affidavit filed by them, undertaking that they will make their own arrangement for transportation from Chennai to Salem, get necessary pass and permission for travel and also taking note of the fact that they were found negative for COVID-19 test, this Court is inclined to permit the petitioners to travel to Salem and the restrictions imposed on their travel and movement by this Court vide order dated 15.05.2020 in Crl.O.P.No.7602 of 2020, is hereby relaxed.

This criminal miscellaneous petition is ordered with the above directions.

सत्यमेव जयते

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11.06.2020

nsd

Index : Yes/No

Internet : Yes/No

Speaking order/Non-speaking order

To

1.The Principal Sessions Judge,
Salem.

2.The Judicial Magistrate No.II,
Salem.

3.The Inspector of Police,
B3, Kitchipalayam Police Station,
Salem.

4.The Superintendent of Prison,
Sub-Jail, Saidapet.

5.The Public Prosecutor,
Madras High Court,
Chennai.



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M.NIRMAL KUMAR, J.

nsd



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