

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :08.10.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.15734 of 2020

- 1.A.Raman
S/o.Arthanari
- 2.Jayalakshmi
W/o.Raman
- 3.Kumar @ Sivakumar
S/o.Angamuthu.
- 4.Vijayakal,
W/o.Raja.
- 5.Raja @ Selvaraj
S/o.Kannaiaayan
- 6.Jothi
W/o.Maheswaran
- 7.Nadhiya
W/o.Senthilkumar
- 8.Ravikumar
S/o.Lakshmanan
- 9.Kavitha
W/o.Sivakumar

... Petitioners

Vs.

State represented by its,
The Inspector of Police,
Karumalaikoodal Police Station,
Salem District.

Crime No.435 of 2020

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to set aside the order and modify the following conditions that the petitioners shall deposit a sum of Rs.2,000/- (each rupees Two Thousand only) to the Tamil Nadu Chief Minister's Public Relief fund (non refundable) and on such deposit 3. that each of the petitioners shall execute two sureties each for sum of Rs.10,000/- (Rupees Ten Thousand only) before the Judicial Magistrate-II, Mettur within 15 days from the date of lifting of the lockdown and the commencement of the Courts normal functioning failing which the bail granted by this Hon'ble Court shall stand dismissed automatically. 5.that the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. In C.M.P.No.2441 of 2020 (Crime No.435 of 2020) on the file of the respondent police dated 26.08.2020 on the file of the Court of the Principal Sessions Judge of Salem.

For Petitioners : Mr.M.Senthilkumar
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER
(The case has been heard through video conference)

This Criminal Original petition has been filed seeking for modification of the anticipatory bail condition imposed on 26.08.2020 in C.M.P.No.2441 of 2020 by the learned Principal Sessions Judge, Salem.

2. The learned counsel for the petitioner would submit that the petitioners apprehend arrest at the hands of the respondent police for the offence under sections 147, 148, 294(b), 323, 324 and 506(ii) IPC in Crime

No.435 of 2020. He would submit that the petitioners were granted anticipatory bail dated 26.08.2020 by the learned Principal Sessions Judge, Salem in C.M.P.No.2441 of 2020 on certain conditions. One of the bail condition imposed was that ***“petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders”***.

3. The learned counsel for the petitioners further submitted that the petitioners and the counter parties were directed to appear before the respondent police at the same time, i.e., daily at 10.30 a.m., until further orders. Hence, the petitioners are unable to appear before the respondent police, though, they have been granted anticipatory bail on 26.08.2020. Hence he seeks to modify the condition imposed by the Court below.

4. In view of the submission made by the learned counsel for the petitioners, this Court modifies the said condition imposed by the learned Principal Sessions Judge, Salem in C.M.P.No.2441 of 2020 dated 26.08.2020 to the effect that ***“the petitioners shall appear before the respondent police everyday at 05.30 p.m., until further orders***. The other condition remains unaltered.

5. Accordingly, this Criminal Original Petition is Modified.

08.10.2020

mpa

To

1.The Principal Sessions Judge, Salem.

2.The Inspector of Police,
Karumalaikoodal Police Station,
Salem District.

3.The Public Prosecutor
High Court of Madras
Chennai.



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A.D.JAGADISH CHANDIRA.J.,

mpa



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