

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.12.2020

Coram

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P.No.8379 of 2020

in Crl.O.P.No.26196 of 2019

K.V.Iyappa @ Iyappa Krishnapillai Vallikumar

... Petitioner

Versus

State represented by,
The Inspector of Police,
District Crime Branch (DCB),
Kancheepuram District.
(Crime No.26 of 2019)

... Respondent

Criminal Miscellaneous Petition is filed under Section 482 of the Criminal Procedure Code, pleaded to relax the condition that the petitioners shall report before the learned Judicial Magistrate No.I, Nagarkoil, Kanniyakumari on every fortnight i.e., 1st and 15th day of every Month at 10.30 a.m., until further orders, imposed in Crl.Mp.No.1599 of 2020 in Crl.Op.No.26196 of 2019 of 2020, dated 10.02.2020.

For Petitioner : Mr.S.Suresh

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

ORDER

(This case has been heard through video conference)

This petition has been filed to relax the condition that the petitioners shall report before the learned Judicial Magistrate No.I, Nagarkoil, Kanniyakumari on every fortnight i.e., 1st and 15th day of every Month at 10.30 a.m., until further orders, imposed in Crl.Mp. No.1599 of 2020 in Crl.Op.No.26196 of 2019 of 2020, dated 10.02.2020.

2.When the matter is taken up for hearing, it is reported by the learned Additional Public Prosecutor that the petitioner has complied with the condition on 23.03.2020 and thereafter he has not complied with the condition regularly. It is stated by the learned counsel for the petitioner that the petition was ordered on 10.02.2020 and the copy of the order was received on 26.02.2020 and the condition imposed on the petitioner that the petitioner should appear before the respondent/police for every fortnight, i.e., 1st

and 15th of every month at 10.30 a.m., until further orders. Thereafter, the anticipatory bail was granted to the petitioner in Crl.Op.No.2619 of 2018 by an order dated 05.11.2019. Thereafter, the petitioner filed a Crl.Mp.No.1599 of 2020 and this Court by order dated 10.02.2020, directed the petitioner to appear before the learned Judicial Magistrate No.I, Nagarkoil, Kanyakumari, on the 1st and 15th of every month at 10.30 a.m., until further orders. He would further submit that he has regularly complied with conditions and due to Covid-19 situation the Courts were closed, and thereafter, the petitioner was unable to appear before the concerned Court. For which, the petitioner filed a detailed memo before the learned Judicial Magistrate, Nagercoil on 01.10.2020. Hence, he prays to allow the petition.

3.In view of the above submissions made by the learned counsel for the petitioner, the condition imposed on the petitioner in Crl.Mp. No.1599 of 2020 in Crl.Op.No.26196 of 2019 of 2020 on 10.02.2020 is modified. However, the petitioner shall report before the respondent police on the first Saturday of every month at 10.30 am., for a period of two Months, and thereafter as and when required.

4.With the above directions, this criminal original petition is ordered.

-sd/-

18/12/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

सत्यमेव जयते

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, CHENGALPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATE REP BY,
DISTRICT CRIME BRANCH (DCB), KANCHEEPURAM
DISTRICT. CR.NO. 26 OF 2019.

<https://hcservices.ecourts.gov.in/hcservices/>

5 THE JUDICIAL MAGISTRATE,
NO.I, NAGARCOIL, KANNIYAKUMARI DISTRICT.

+1 C.C. to M/S. S.SURESH Advocate on payment of necessary
charges SR.NO.8554

Order

in
CRL MP.8379/2020

in
CRL OP.26196/2019

Date :18/12/2020

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TA-07/01/2021



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