



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2020

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**
Criminal Original Petition[MD] No.2546 of 2020

Sureshkumar

: Petitioner/Petitioner

vs.

State through by
The Inspector of Police,
Karungal Police Station,
Kanyakumari District,
Crime No.391 of 2019.

: Respondent/Respondent

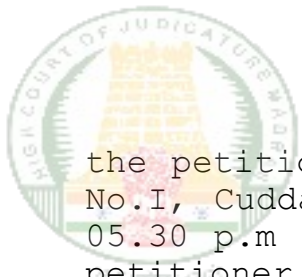
PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to modify the condition with respect of appearance before the Judicial Magistrate No.I, Cuddalore weekly once i.e., on every Monday at 10.30 a.m and 05.30 p.m imposed on the petitioner, by order dated 22.01.2020 made in Crl.M.P.No.6225 of 2019 on the file of the Principal Sessions Judge, Kanyakumari District at Nagercoil.

For Petitioner : Mr.R.Ponkarthikeyan
For Respondent : Mr.S.Chandarasekar
Addl. Public Prosecutor

O R D E R

The petition has been filed to modify the condition with respect of appearance before the Judicial Magistrate No.I, Cuddalore weekly once i.e., on every Monday at 10.30 a.m and 05.30 p.m imposed on the petitioner, by order dated 22.01.2020 made in Crl.M.P.No.6225 of 2019 on the file of the Principal Sessions Judge, Kanyakumari District at Nagercoil.

2.The learned counsel for the petitioner would submit that the petitioner has been granted bail by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil with condition that the petitioner should stay at Cuddalore, appear and sign before the Judicial Magistrate No.I, Cuddalore daily twice at 10.30 a.m and 05.30 p.m until further orders and on the days of Holidays, he should appear and report before the Deputy Superintendent of Police, Cuddalore at 10.30 a.m and 5.30 p.m until further orders. He would further submit that the said condition was modified on 22.01.2020 by the Principal Sessions Judge, Kanyakumari District at Nagercoil that



the petitioner shall appear and sign before the Judicial Magistrate No.I, Cuddalore weekly once i.e., on every Monday at 10.30 a.m and 05.30 p.m until further orders. He would further submit that the petitioner seeks for further modification of the condition imposed on 22.01.2020. He would further submit that though generally in all other cases, this Court directs the petitioner to approach the concerned Court seeking for modification, the present petition has been filed directly before this Court, since this Court had granted bail to the co-accused and the condition has been later modified to appear as and when required. The petitioner is also similarly placed.

3.The learned Additional Public Prosecutor would submit that the petitioner has been comply with the condition regularly.

4.As stated by the petitioner though in all other cases, this Court generally directs the petitioner to approach the concerned Court, which granted bail, to seek for modification and thereafter, come before this Court, in this case, it has been brought to the notice of this Court that the condition imposed on the co-accused have been totally relaxed and they have been directed to appear as and when required.

5.In view of the above submission, the condition imposed on the petitioner by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil CrI.M.P.(MD)No.6225 of 2019, on 22.01.2020 is modified that the petitioner shall appear before the respondent police as and when required for interrogation.

6.This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

skn/sji

To

1.The Principal Sessions Judge,
Kanyakumari District at Nagercoil.

2.The Judicial Magistrate No.I, Cuddalore.



3.The Inspector of Police,
Karungal Police Station,
Kanyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.PON KARTHIKEYAN, Advocate (SR-6732[F] dated
18/02/2020)

Cr1.O.P. [MD] No.2546 of 2020
17.02.2020

KK/28.02.2020/3P-6C