



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Dated : 28/07/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL.O.P. (MD) No.7342 of 2020

1.Natarajan
2.Ayyanar

...Petitioners/ Petitioners

Vs

State, through the
Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.
(Crime No.389 of 2020).

...Respondent/ Respondent

For Petitioners : Mr.K.Navaneetharaja,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

PETITION FOR MODIFICATION Under Sec.439(1)(b) of Cr.P.C.

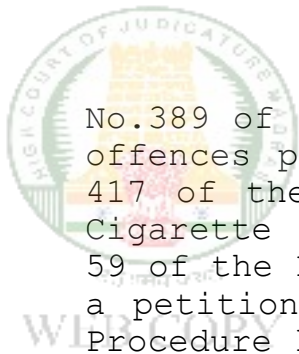
PRAYER :-

Petition is filed Under Section 439(1)(b) of the Code of Criminal Procedure praying to modify the condition directing the petitioners to appear and sign before the respondent Police Station until further orders vide order passed by the learned Principal District and Sessions Judge, Ramanathapuram in Crl.M.P.No.1354 of 2020, dated 30.06.2020.

ORDER : The Court Made the following order :-

The present petition has been filed to modify the condition imposed by the learned Principal District and Sessions Judge, Ramanathapuram, in Crl.M.P.No.1354 of 2020, dated 30.06.2020, directing the petitioners to appear and sign before the respondent police daily at 10.00 a.m., until further orders.

2. The learned counsel appearing for the petitioners would submit that the petitioners were arrested and remanded to judicial custody on 25.06.2020 in connection with a case registered in Crime



No.389 of 2020 on the file of the respondent police for the alleged offences punishable under Sections 120-B, 188, 269, 270, 273, 328, 417 of the Indian Penal Code and Sections 7, 20(1), 20(2) of the Cigarette and other Tobacco Products Act, 2003 and Sections 52 and 59 of the Food Safety and Standards Act, 2006. The petitioners moved a petition seeking bail under Section 439 of the Code of Criminal Procedure before the learned Principal District and Sessions Judge, Ramanathapuram. The learned Judge, vide order dated 30.06.2020, in Crl.M.P.No.1354 of 2020, granted bail to the petitioners, subject to the condition that they should appear before the respondent police daily at 10.00 a.m., until further orders.

3. According to the petitioners, due to lock down owing to COVID-19 pandemic situation, as they are residing at Salem District, they could not get entry passes to enter Ramanathapuram District from the District Administration and now the petitioners executed the sureties and are reporting before the respondent police for 13 days and as it would be difficult for the petitioners to appear before the respondent police daily, they have come forward with the present petition seeking modification of the said condition.

4. The learned Government Advocate (Criminal Side) appearing for the respondents, on instructions, would submit that the petitioners are complying with the condition for 13 days.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioners are reporting before the respondent police for more than 10 days, this Court is inclined to modify the condition. Accordingly, the petitioners are directed to report before the respondent police as and when required for interrogation.

6. In fine, this Criminal Original Petition is ordered.

sd/-
28/07/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE,
RAMANATHAPURAM.
2. THE INSPECTOR OF POLICE,
MUDUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.7342 of 2020
Date :28/07/2020

SML
SRS/ PN/ SAR-III/ 29.07.2020/ 3P/4C