



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/07/2020

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PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7439 of 2020

Shanmuga Sundaram @ Shanmuga

... Petitioner/Accused

Vs

The State by
The Inspector of Police,
B-1 Town Police Station,
Ramanathapuram District.
Cr.No.190 of 2020

... Respondent/Complainant

For Petitioner : Mr.S.Krishnan

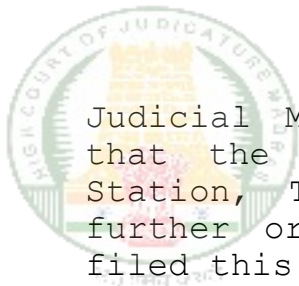
For Respondent : Mr.K. Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PRAYER :- This Petition is filed Under Sec.439(i)(b) of Cr.P.C, to modify the condition imposed by the learned Judicial Magistrate No.I, Ramanathapuram in Crl.M.P.No.1119 of 2020, dated 23.06.2020.

ORDER

This Criminal Original Petition has been filed to modify the condition imposed by the learned Judicial Magistrate No.I, Ramanathapuram in Crl.M.P.No.1119 of 2020, dated 23.06.2020.

2. The learned counsel appearing for the petitioner would submit that the petitioner is arrayed as sole accused for the offence under Sections 153A, 153(A)(1)(b), 504, 505(1)(b), 505(2) of IPC and Section 6 of I.R.Women Act, Sections 67 and 67(A) Information Technology Act on the file of the respondent police. He would further submit that earlier, the learned Judicial Magistrate No.1, Ramanathapuram granted bail to the petitioner in Cr.M.P.No.1119 of 2020, dated 23.06.2020 on the condition that the petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned



Judicial Magistrate, Ramanathapuram and also a further condition that the petitioner should appear before the Vallanadu Police Station, Thoothukudi District, daily once at 10.00 a.m., until further orders. To modify the above condition the petitioner is filed this petition.

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3. The learned counsel appearing for the petitioner would submit that the petitioner belongs to Tirunelveli District. As per condition imposed by the Court below, now he has to travel to execute a bond before the learned Judicial Magistrate No.1, Ramanathapuram. He also submitted that for the purpose of executing the bond, the petitioner has to cross three Districts and has to obtain E-Pass from the three Districts Authorities, which is very difficult one in this pandemic situation. Hence, he filed a present application for modification of the condition.

4. Considering the fact that the crime has been registered in Ramanathapuram District and the bail was also granted by the learned Judicial Magistrate No.1, Ramanathapuram, the petitioner has to be surrendered before the said Court. For the reason that, during the total lock down period, he could not appear before the concerned Court and produce the sureties, prayer sought for this petitioner cannot be granted. However, considering the difficulties in getting E-Pass, a further direction is issued to the District Collector, Ramanathapuram to issue E-Pass to the petitioner and his two sureties on filing any such application, enabling them to travel Ramanathapuram District for executing a bond. After executing a bond, the petitioner is directed to report before the Inspector of Police, Vikramasingapuram police station in Tirunelveli District, daily at 10.30 a.m. until further orders.

5. With the above direction, the Criminal Original Petition is ordered.

sd/-

16/07/2020

/ 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 JUDICIAL MAGISTRATE NO.I,
RAMANATHAPURAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
B1 TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE INSPECTOR OF POLICE,
VIKKRAMASINGAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.
- 5 THE OFFICER INCHARGE,
SUB-JAIL, VIRUDHUNAGAR.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Copy to:

THE DISTRICT COLLECTOR,
RAMANATHAPURAM DISTRICT.

ORDER
IN
CRL OP(MD) No.7439 of 2020
Date :16/07/2020

SDS/JC/SAR-3/20.07.2020/3P/8C