



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

Dated : 16.10.2020

PRESENT

**THE HON'BLE MR.JUSTICE G.K. ILANTHIRAIYAN**

**CRL.O.P. (MD)No.11511 of 2020**

WEB COPY

S.M. Raja

: Petitioner/A-1

Vs.

State rep. by  
The Sub-Inspector of Police,  
Aundipatti Police Station,  
Theni District.  
(Crime No.899 of 2020)

: Respondent

**PRAYER** :- Petition filed under Section 439(1)(b) r/w Section 482 of the Code of Criminal Procedure praying to modify the conditional order that the petitioner shall appear/sign before the Judicial Magistrate No.I, Salem daily at 10.30 a.m., and 05.00 p.m., in CrI.M.P. No. 3054 of 2020 by the Principal Sessions Judge, Theni by order dated 07.10.2020.

|                |   |                                                      |
|----------------|---|------------------------------------------------------|
| For Petitioner | : | Mr.K. Gokul                                          |
| For Respondent | : | Mr.R. Erottuchamy,<br>Government Advocate (Crl.Side) |

### ORDER

The present petition has been filed to modify the condition imposed by the learned Principal Sessions Judge, Theni, vide order dated 07.10.2020 made in Cr.M.P.No. 3054 of 2020.

2. The petitioner is arrayed as A-1 in Crime No.899 of 2020 for the alleged offences punishable under Sections 294(b), 323 & 506(ii) of IPC and hence, seeking anticipatory bail, he filed an application in Cr.M.P.No.3054 of 2020 before the learned Principal Sessions Judge, Theni. The Court below has granted interim anticipatory bail to the petitioner on condition that the petitioner shall appear/sign before the learned Judicial Magistrate No.I, Salem, daily at 10.30 a.m., and 05.00 p.m. Hence, the present petition has been filed seeking modification.

3.The learned counsel appearing for the petitioner submitted that the petitioner is a poor background family and he is the only sole bread winner of the family. Due to pandemic situation he is not in a position to appear before the learned Judicial Magistrate No.I, Salem, as directed by the Court below and hence, he seeks modification of the said condition.



4. Heard the learned Government Advocate (Criminal side) appearing for the respondent police also.

5. Considering the facts and circumstances of the case and also considering the gravity of offence, this Court is inclined to modify the condition. Accordingly, the condition stands modified to the effect that the petitioner shall appear/sign before the respondent police, daily at 10.30 a.m., and 05.00 p.m., until further orders. The other conditions imposed by the learned Principal Sessions Judge, Theni, vide order dated 07.10.2020, stand unaltered.

6. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

**KSA**

**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 Sub-Inspector of Police,  
Aundipatti Police Station,  
Theni District.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Order made in  
**CRL.O.P. (MD) . No.11511 of 2020**  
Dated : 16.10.2020

SGS (CO)

**AP(03/11/2020) 2P 3C**