



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

Wednesday, the Sixteenth day of December Two Thousand and Twenty

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP (MD) No.6349 of 2020
IN
CRL OP (MD) No.10804 of 2020

1 FRANKLIN ROUSVELT
2 VIJINI FRANKLIN
3 RONALD VIJI

... PETITIONERS/PETITIONERS

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KANYAKUMARI DISTRICT.
CRIME No. 15/2020.

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Pass an order to modify and remove the condition in Paragraph 8(b) "the Petitioners shall not disturb the Possession and enjoyment of the estates, namely; Castle Rock, Black Rock Belongs to the defacto Complainant" imposed by this Honourable Court by order dated 07.10.2020 in CRL OP (MD) No.10804 of 2020.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.K.SELVARAJ for M/S.T.ARUL, Advocate for the petitioners and of MR.R.EROTTUCHAMY, Government Advocate (Crl.side) on behalf of the Respondent, the Court made the following order:-

This petition is filed for modifying the conditions imposed on the petitioners in Crl.O.P.(MD)No.10804 of 2020.

2.Heard the learned counsel for the petitioners and the learned Government Advocate(Crl.Side) for the respondent.

3.Taking note of reasons stated in the accompanying affidavit filed in support of this petition, clause (b) of the condition is deleted. However, the petitioners and the defacto complainant are directed to maintain law and order in the said locality, failing which, the respondent police is directed to take appropriate action in the manner known to law. It is made clear that the observations made in the anticipatory bail will not have any bearing on the



rights of the parties in the civil suit. The jurisdictional Civil Court shall pass orders on merits and in accordance with law.

4. With these observations, this criminal miscellaneous petition is allowed.

WEB COPY

sd/-
16/12/2020

/ 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, NAGERCOIL.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.T.ARUL, Advocate (SR-8357[I] dated 18/12/2020)

ORDER
IN
CRL MP(MD) No.6349 of 2020
IN
CRL OP(MD) No.10804 of 2020
Date :16/12/2020

IAS
TE/SMA/SAR-III : 21/12/2020 : 2P/6C