

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2021

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P.No.1368 of 2021

Bhuvanesh

... Petitioner/Accused

Vs.

State rep.by,  
The Inspector of Police  
DCB, Erode.  
(Crime No.23 of 2011)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C, to modify the condition "The petitioner shall surrender before the Judicial Magistrate No.II, Erode" imposed by the Hon'ble Principal District & Sessions Judge Erode in Crl.M.P.No.1714 of 2020 dated 28.10.2020 in Crime No.23 of 2011 on the file of the respondent.

For Petitioner : Mr.J.Ranjithkumar  
For Respondent : Mr.S.Karthikeyan  
Additional Public Prosecutor

O R D E R

This case has been heard through video conference

This Criminal Original Petition has been filed to modify the condition imposed by the Principal District & Sessions Judge, Erode in Crl.M.P.No.1714 of 2020 dated 28.10.2020 directing that the petitioner shall surrender before the Judicial Magistrate No.II, Erode.

2. The learned counsel for the petitioner would submit that due to some illness and the petitioner was unable to comply with the condition imposed by the Principal District & Sessions Judge, Erode in Crl.M.P.No.1714 of 2020 dated 28.10.2020. Hence, the present petition for modification has been filed..

3. Heard the learned Additional Public Prosecutor appearing for the respondent police.

4. Considering the facts and circumstances of the case and also the fact that the petitioner failed comply with the condition imposed by the Principal District & Sessions Judge, Erode in Crl.M.P.No.1714 of 2020 dated 28.10.2020, this Court is not inclined to modify the condition, Hence, this Criminal Original Petition is dismissed. However, two weeks time is granted to the petitioner for surrender and executing a sureties.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

msrm

To

1. The Principal District & Sessions Judge,  
Erode
2. The learned Judicial Magistrate No.II,  
Erode
3. The Inspector of Police  
DCB, Erode.
4. The Public Prosecutor,  
Madras High Court.

MG(CO)  
CSR(08/03/2021)

Crl.O.P.No.1368 of 2021

सत्यमेव जयते

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