

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2021

CORAM

THE HON'BLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl. M.P. No. 5394 of 2021

in Crl. O.P. No. 15435 of 2020

1. Prakash
2. Priyanka
3. Karthik
4. Amudha

... Petitioners

-vs-

State Represented by
The Inspector of Police,
All Woman Police Station,
Chidambaram,
Cuddalore District.
(Crime No. 5 of 2020)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to modify the order granted by this Court on 01.03.2021 made in Crl. M.P. No. 2066 of 2021 in Crl. O.P. No. 15345 of 2020 as "The Petitioners shall report before the Respondent Police every day at 10.30 a.m. for a period of one week and thereafter as and when required".

For Petitioners: Mr. S.Yogaraja Sekar

For Respondent : Mr. V.J.Priyadarsana,
Counsel appearing for the Government

ORDER

(The case has been heard through video conference)

This petition has been filed to modify the condition imposed on the Petitioners in Crl. M.P. No. 2066 of 2021 in Crl. O.P. No. 15345 of 2020 dated 01.03.2021 directing the Petitioners to report before the Respondent Police everyday at 10.30 a.m. for a period of one week and thereafter, as and when required.

2. The Learned Counsel for the Petitioners would submit that this Court by order dated 07.10.2020 granted anticipatory bail to the Petitioners directing the First Petitioner to report before the Respondent Police everyday at 10.30 a.m. for a period of two weeks and thereafter, every Monday at 10.30 a.m., until further orders and the Second to Sixth Petitioners to report before the Respondent Police everyday at 10.30 a.m. for a period of two weeks and thereafter, as and when required. He would further submit that the Petitioners were threatened by the defacto complainant and her family members and thereby, the Petitioners filed Crl. M.P. No. 2066 of 2021 seeking to modify the condition imposed by this Court on 07.10.2020 in Crl. O.P. No. 15345 of 2020. He would further submit that the Petitioners also filed Crl. M.P. No. 2068 of 2021 seeking to extend the time granted by this to comply with the condition of furnishing sureties before the Judicial Magistrate No.2, Chidambaram. He would further submit that this Court had granted extension of time and also modified the condition directing the Petitioner to appear before the Respondent Police everyday at 10.30 a.m. for a period of one week and thereafter, as and when required for interrogation. He would further submit that on 18.03.2021, the Petitioners appeared before the Court of the Chief Judicial Magistrate, Chidambaram to comply with the conditions imposed by this Court and at that time, the brothers of the defacto complainant along with 10 henchmen arrived at the Court premises and behaved in an intimidating manner. He would further submit that the Petitioners felt helpless and shocked and that they have entered into the Court and reported the matter to the Court of the Chief Judicial Magistrate, Chidambaram and thereafter, on the instructions of the Court, the Petitioners were granted protection to leave Chidambaram. He would further submit that it is also intimated to the Respondent Police. He would further submit that the Petitioners are facing life threat from the relatives of the defacto complainant. He would further submit that it is only a family dispute and that the investigation in this case has also been completed and the charge sheet is ready. He would further submit that the Petitioners are prepared to appear before the Respondent Police as and when required for interrogation.

3. Learned Counsel appearing for the Government would submit that it is true that the Petitioners were threatened by the defacto complainant and her relatives within the Court premises on 18.03.2021 and in respect of which, enquiry is also being conducted by the Respondent Police. He would also reiterate that the investigation in this case has been completed and the charge sheet is ready and the same is yet to be filed before the concerned Court.

4. In view of the above submissions, the condition imposed on the Petitioners in Crl. O.P. No. 15345 of 2020 dated 07.10.2020 is modified to that effect that the Petitioners are directed to report before the Respondent Police as and when required on summons. All other conditions imposed by this Court shall remain intact.

5. Accordingly, this Criminal Original Petition is ordered.

-sd/-

29/06/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE COURT NO.2,
CHIDAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
CHIDAMBARAM, CUDDALORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

C.C. to M/S.M.VINOTH Advocate on payment of necessary charges

Order

सत्यमेव जयते in

CRL MP.5394/2021

in
CRL OP.15435/2020

Date :29/06/2021

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