



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.9949 of 2021

Kennady Fernando @ Ezhilon @ Bumma ...Petitioner/Accused

Vs.

State represented by
Inspector of Police,
Q-Branch,
Crime Investigation Department,
Kancheepuram District.
(Crime No.1 of 2020)

...Respondent/Complainant

Prayer:

Petition filed under Section 439(1)(b) of Cr.P.C., seeking to permit the petitioner to modify the condition-3 of staying at Trichy Special Refugees Camp and appear and sign before the Officer In charge daily at 10 AM and 5 PM until further order passed in Crl.M.P.No.2626 of 2021, dated 06.05.2021, by the Sessions Judge of Kancheepuram District at Chengalpattu and seek relief for passing modification order.

For Petitioner : Mr.V.Balasubramani

For Respondent : Mr.C.E.Pratap
for P.P.

O R D E R

The petitioner has filed this petition seeking to modify the conditions imposed in Crl.M.P.No.2626 of 2021 dated 06.05.2021 on the file of the learned Sessions Judge of Kancheepuram District at Chengalpattu.

2.The case of the petitioner is that he was arrested on the allegation that he being a Sri Lankan, came to Chennai in Tourist Visa valid upto 31.01.2021 and stayed in Chennai even expiry of the Tourist Visa. Hence, the petitioner filed Crl.M.P.No.2626 of 2021 before the learned Sessions Judge of Kancheepuram District at Chengalpattu, seeking bail and aggrieved by the condition imposed on him in the order dated 06.05.2021 made in the said petition, the petitioner has filed this petition.



3.The learned counsel appearing for the petitioner would submit that the petitioner is a resident of Chennai and he did not involve in any case and he complied with the condition regularly and also obtained good conduct certificate, however, it is difficult for the petitioner to stay at Trichy Special Refugees Camp daily and prayed this Court to modify the condition.

4.The learned Government Advocate appearing for the respondent submitted that the petitioner came to Chennai illegally through boat and further submitted that there are eight previous cases as against the petitioner.

5.The petitioner is a Sri Lankan who came to Chennai in Tourist Visa valid upto 31.01.2021 and stayed in Chennai even expiry of the Tourist Visa. Hence, the condition imposed on the petitioner by the learned Sessions Judge of Kancheepuram District at Chengalpattu, in the order dated 06.05.2021 passed in Crl.M.P.No.2626 of 2021, does not warrant any interference.

6.This criminal original petition is accordingly dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Sessions Judge of Kancheepuram District at Chengalpattu.
2. The Inspector of Police,
Q-Branch, Crime Investigation Department,
Kancheepuram District.
(Crime No.1 of 2020)
3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

Crl.O.P.No.9949 of 2021

PL(CO)
RGA(25/08/2021)