



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

Monday, the Twenty Ninth day of March Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL MP(MD) No.75 of 2021

IN

CRL OP(MD) No.11383 of 2020

K.MUTHU @ MUTHUKUMAR

... PETITIONER/PETITIONER

Vs

STATE BY,
THE INSPECTOR OF POLICE,
THIDEER NAGAR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.797/2020)

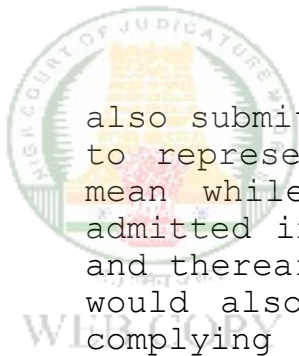
... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to relax the condition imposed on the petitioner in Crl OP (MD)No.11383/2020 vide order dated 16.10.2020.

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.R.KANNAN, Advocate for the petitioner and of Mr.R.SRINIVASAN, Government Advocate(Crl.Side) on behalf of the Respondent, the Court made the following order:-

This petition is filed to relax the condition imposed on the petitioner in Crl.O.P.No.11383 of 2020 on 16.10.2020.

2. The learned counsel for the petitioner would submit that the petitioner was granted bail by this Court on 16.10.2020 in Crl.O.P (MD) No. 11383 of 2020 with a condition to report before the respondent police daily at 10.30 am., until further orders. Thereafter, he moved a petition for the modification of the said condition in Crl.M.P(MD) No. 5559 of 2020 and the same was dismissed by this court on 04.11.2020. Thereafter, he has filed another petition for modification in Crl.M.P(MD) No. 6599 of 2020 and this Court by an order dated 08.12.2020 had relaxed the condition in toto. Thereafter, on the submission of the respondent police, the order has been modified by an order dated 18.12.2020 directing the petitioner to report before the respondent police on every Monday, Wednesday and Friday at 10.30 a.m., until further orders. He would



also submit that due to connectivity issue the petitioner was unable to represent before this Court. He would also submit that in the mean while, the petitioner was affected with corona and he was admitted in the hospital on 19.11.2020 and discharged on 30.11.2020 and thereafter, he was under self quarantine for another 20 days. He would also submit that the petitioner is in Bangalore and he is complying with the condition from 15.02.2021 to 01.03.2021 and thereafter, he was not able to appear before the respondent police. Hence, he prayed the condition to be relaxed.

3.The learned Government Advocate(Crl.Side) filed a counter and denied all the submissions made by the learned counsel for the petitioner. He would also submit that after release, he is absent for 16 days and signed before the respondent from 09.11.2020 to 17.1.2020 and he is absent for 16 from 23.10.2020. Summons was sent to the petitioner to appear before the respondent police. He further submitted that the petitioner and other accused had cheated the public to the tune of Rs. 2,68,00,000/- and only Rs.10,00,000/- has been recovered. He would also submit that the presence of the petitioner is very much required for further investigation in this case and to ascertain the siphoned out money from others. The petitioner now flushed with money leading a luxurious life and failing to appear before the respondent police. He has also produced a photostat copy of the note signed by the petitioner before the respondent police in which it seen that the petitioner had signed from 15.02.2021 to 01.03.2021. Now after 01.03.2021 he failed to appear before the respondent police. He would further submit that the case is likely to be transferred to CCB and further investigation in this case is required, therefore, the presence of the petitioner is very much necessary. The petitioner is hailing from Bangalore, his appearance is irregular. Only after the intervention of this Court, he had appeared from 15.02.2021 to 01.03.2021 and thereafter, he has not appeared citing that this Court had directed him to appear from 15.02.2021 to 01.03.2021.

4.In view of the same, the condition imposed on the petitioner is modified to the effect that the petitioner shall appear before the respondent police on every Monday at 10.30 am, till the case is transferred to the file of CCB and thereafter, he shall continue to appear before the CCB on every Monday at 10.30 a.m., until further orders.

sd/-
29/03/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1.THE JUDICIAL MAGISTRATE NO.V, MADURAI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3.THE INSPECTOR OF POLICE
THIDEER NAGAR POLICE STATION,
MADURAI DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL MP (MD) No.75 of 2021
IN
CRL OP (MD) No.11383 of 2020
Date :29/03/2021

SJI

AE/PK/SAR-III (08/04/2021) 3P / 5C