



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 01/02/2021

CORAM:

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD)No.484 of 2021

K.Somasundaram@vanakkam Somu,
S/o.Kalia Peurmali, 77f,
Sankaran Pillai Road, Trichy.

... Petitioner/Accused No.1

Vs.

The Inspector of Police,
Fort Police Station, Trichy
Cr No.715/2019.

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to modify the Condition no.1 which was already granted by the Learned Principal District and Sessions Judge, Trichy in Spl.Cr.M.P.No.113/2020 dated 30/04/2020 in so far as surrender of the petitioner before the Judicial Magistrate No.1 on 21.05.2020 without fail.

For Petitioner : M/s.Jameel Arasu.B,

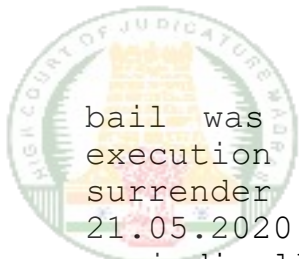
For Respondent : Mr.M.V.Chandrasekaran,
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed to modify the Condition no.1 which was already granted by the Learned Principal District and Sessions Judge, Trichy in Spl.Cr.M.P.No.113 of 2020 dated 30.04.2020 insofar as surrender of the petitioner before the learned Judicial Magistrate No.1 on 21.05.2020 without fail.

2.The gist of the case is that the petitioner and other accused on 30.09.2019 conspired with an intention to kidnap a girl in a vehicle. On such receipt of information, the respondent police seized the vehicle and secured the girl, thereafter, the petitioner and other accused were arrested on 28.03.2020.

3.The learned counsel appearing for the petitioner would submit that the petitioner filed a bail petition before the learned Principal District and Sessions Judge, Tiruhchirapalli in Spl.Cr.M.P.No.173 of 2020. He would further submit that an interim



bail was granted on 30.04.2020 for a period of three weeks on execution of own bond for a sum of Rs.20,000/- and he should surrender before the learned Judicial Magistrate No.I, Trichy on 21.05.2020. He would also submit that the interim order has been periodically extended and the co-accused in this case have been granted regular bail. This petition is filed to modify the condition imposed in Spl.Cr.M.P.No.113 of 2020 dated 30.04.2020 insofar as the surrender of the petitioner before the Judicial Magistrate No.I, Trichy.

4.The apprehension of the petitioner is that if he surrender before the Judicial Magistrate No.I, Trichy, again he would be remanded and thereafter, he has to be filed a fresh application for bail and the entire exercise is commencing from the beginning, thereafter, the petitioner would be kept in confinement for a prolong time.

5.It is seen that the co-accused in this case have been granted bail and the petitioner has been granted interim bail, which has been periodically extended.

6.Considering the facts and circumstances of the case, this Court directs the petitioner to appear before the learned Principal District and Sessions Judge, Trichy and file appropriate petition seeking bail and the learned Sessions Judge shall consider the bail petition of the petitioner on the same day. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

GNS

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 Principal District and Sessions Judge,
Trichy.



2.The Judicial Magistrate No.1, Trichy.

3.The Inspector of Police,
Fort Police Station,
Trichy.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL OP(MD) No.484 of 2021

01/02/2021

NA (CO)

NR (09/02/2021) 3P : 5C