



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

Date : 02/03/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR
CRL OP(MD). No.2363 of 2021

Prabhu,

S/o.Sakkaraiivel,
S.Kodikulam, K.Pudur,
Madurai..

...Petitioner/Petitioner/Accused No.1

Vs

The Inspector of Police,
CCB, Madurai
Cr No.30/2019.

... Respondent/Respondent/Complainant

PRAYER :- Petition is filed under Section 439(1)(b) r/w Section 482 of the Code of Criminal Procedure praying to modify the condition imposed on the petitioner in order dated 22.01.2021 passed by the learned Principal Sessions Judge, Madurai in Cr.M.P.NO.5564 of 2020 that the petitioner shall appear and sign before the Inspector of Police respondent police station daily twice at 10.00 a.m and 5.00 p.m until further orders.

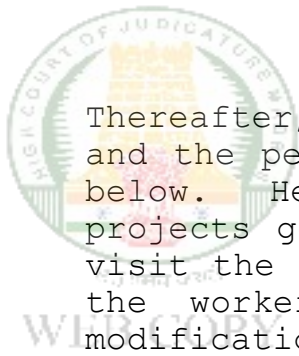
For Petitioner : Mr.Srinivasaragavan.D,
For Respondent : Mr.M.V.Chandrasekaran,
Government Advocate (Crl.Side)

ORDER

The present petition has been filed to modify the conditions imposed on the petitioner in Cr.M.P.NO.5564 of 2020 dated 22.01.2021, by the learned Principal Sessions Judge, Madurai, in Cr.M.P.NO.5564 of 2020 that the petitioner shall appear and sign before the Inspector of Police respondent police daily twice at 10.00 a.m and 5.00 p.m until further orders.

2.The petitioner is Accused No.1 in Crime No.30 of 2019 for the alleged offences punishable under Section 420 of IPC, and hence, seeking anticipatory bail, they filed an application in Cr.M.P.NO.5564 of 2020 before the learned Principal Sessions Judge, Madurai. The Court below has granted anticipatory bail to the petitioners with conditions that the petitioner shall appear and sign before the Inspector of Police respondent police daily twice at 10.00 a.m and 5.00 p.m until further orders. Hence, the present petition has been filed seeking modification.

3.The learned counsel appearing for the petitioner submitted that the petitioner is a civil Engineer and contractor, who had constructed a house of the defacto complainant. Thereafter, with regard to the payment, there was some dispute between them.



Thereafter, the defacto complainant has lodged the present complaint and the petitioner has been granted anticipatory bail by the Court below. He further submitted that the petitioner is having house projects going on at various place in Trichy and around, he has to visit the construction sites daily and to oversee the activities of the workers in the construction site. Hence, he seeks for modification of the said condition.

4. Heard the learned Government Advocate (Criminal side) appearing for the respondent police also.

5. Considering the facts and circumstances of the case and also considering the gravity of offence, this Court is inclined to modify the condition. Accordingly, the condition stands modified to the effect that the petitioner shall appear before the respondent Police as and when required for interrogation. The other conditions imposed by the learned Principal Sessions Judge, Madurai, vide order dated 22.01.2021, stand unaltered.

6. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Sessions Judge,
Madurai.

2. The Inspector of Police,
CCB,
Madurai.

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

CRL OP(MD) No.2363 of 2021

Date : 02/03/2021

NA (CO)

KB(10.03.2021) 2P 4C

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