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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/03/2021
PRESENT
The Hon`ble Mr.Justice M.NIRMAL KUMAR
CRL OP(MD). No.3611 of 2021

1. Jainul Bayas Khan,
S/o.Mohammed Jafar,
No.2/20.Pallivasal Street,
Marine Fisheries, C.M.S.R.I.,
Marayakaayapattinam,
Ramanathapuram District..

2. Mohammed Raasik,
S/o.Kamaruthin,
Maraykaayapattinam,
Ramanathapuram District..

3. Faiz Ahamed,
S/o.Sahul Hameed,
Maraykaayapattinam,
Ramanathapuram District. ... Petitioners /Petitioners/
Accused 1,3 and 4

Vs

The Senior Intelligence Officer,
Directorate of Revenue
Intelligence, No.22/14 Cetin Garden
Roche Colony, South Beach Road,
Tuticorin,
(In.F.No.
Dri/czu/ttn/viii/48/05/int-01/2.
... Respondent/Respondent/Complainant

For Petitioners : M/s.Jinnah.S.M.A,
Advocate.
For Respondent : Mr.Arul Vadivel Sekar,
Spl. Public Prosecutor

PETITION FOR BAIL Under Sec.439(1)b of Cr.P.C.

PRAYER :-

To modify the condition imposed by the learned Additional Chief Judicial Magistrate, Madurai in Cr.M.P.No.77 of 2021 order dated 10/02/2021 and modify the condition as to direct the petitioners to appear before the learned Additional Chief Judicial Magistrate, Madurai.

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ORDER : The Court made the following order :-

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This petition has been filed to modify the condition imposed by the learned Additional Chief Judicial Magistrate, Madurai in Cr.M.P.No.77 of 2021 dated 10.02.2021 directing the petitioners to appear before the Additional Chief Judicial Magistrate, Madurai on every Tuesday and Friday at 10.00 a.m., for a period of 20 weeks.

2. The learned counsel for the petitioners would submit that initially the petitioners were granted bail by the learned Additional Chief Judicial Magistrate, Madurai in Cr.M.P.No.28 of 2021 dated 23.01.2021 with a condition to appear and sign before the Court daily at 10.00 am., until further orders. Thereafter the petitioner has filed a modification petition before the learned Additional Chief Judicial Magistrate, Madurai in Cr.M.P.No.77 of 2021 and the Court by an order dated 10.02.2021 modified the condition directing the petitioners to appear and sign before that Court on every Tuesday and Friday at 10.00 a.m., for a period of 20 weeks. and the petitioners are complying with the conditions without fail for the past 13 days. He would also submit that the petitioners are fishermen in Rameshwaram and they have to travel 180kms from their home to comply with the condition and due to the said condition they are unable to go to work and earn for their livelihood. Hence he seeks modification of the said condition.

3. Taking the consideration the facts and circumstances of the case and also taking into consideration the submission made by the learned counsel for the petitioners, the condition imposed by the learned Additional Chief Judicial Magistrate, Madurai in Cr.M.P.No.77 of 2021 dated 10.02.2021 directing the petitioners to appear and sign before the Court on every Tuesday and Friday at 10.00 am., for a period of 20 weeks is modified to the effect that the petitioners shall report before the respondent on every Monday at 10.30 a.m., for a period of three months. Further the respondent is at liberty to call the petitioners for enquiry if their presence is required by giving prior notice.

4. This petition is ordered accordingly.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

AAV

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

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copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. The Senior Intelligence Officer,
   Directorate of Revenue Intelligence,
   No.22/14 Cetin Garden
   Roche Colony, South Beach Road,
   Tuticorin,

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

COPY TO

The Additional Chief Judicial Magistrate, Madurai

+1CC TO MR.C.ARUL VADIVEL @ SEKAR, ADVOCATE, SR NO 9862

ORDER
IN
CRL OP(MD) No.3611 of 2021
Date : 09/03/2021

SGS(CO)
KK(10.03.2021) 3P 5C

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