



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 23.03.2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD)No.4404 of 2021

1. Palanikumar,
S/o.Veerappan, Mookudi, Aranthangi Post
and Taluk, Pudukkottai District.

2. Siranjeevi,
S/o.Subramanian, Koothadivayal,
Aranthangi Post and Taluk, Pudukkottai
District. .Petitioners/2nd and 3rd Respondent/Accused 1 & 2

Vs

1. The Inspector of Police,
Aranthangi Police Station, Aranthangi,
Pudukkottai District
Cr No.1391/2020. .1st Respondent/1st Respondent/Complainant

2. Pandi Gowtham,
S/o.Sekar, Senthamil Nagar, Aranthangi
Post and Taluk,
Pudukkottai District. .2nd Respondents/Petitioner/Defacto Complainant

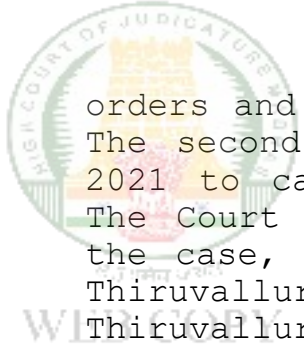
Prayer: Criminal Original Petition filed under Section 439(1)(b) Cr.P.C., to call for the records pertaining to the order passed in Cr.M.P.No.240 of 2021, dated 10.02.2021 by the Principal District and Sessions Court, Pudukkottai and modify the conditions imposed therein.

For Petitioner : Mr.Maniyarasu.K.C.,
For R1 : Mr.M.V.Chandrasekaran,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to modify the conditions imposed in Cr.M.P.No.240 of 2021, dated 10.02.2021 by the Principal District and Sessions Court, Pudukkottai.

2.The gist of the case is that on 06.10.2020, the petitioners scolded the second respondent in filthy language and attacked him with wooden log and also stolen his 10 sovereigns of gold jewels and cell phone. Hence, FIR came to be registered in crime No.1391 of 2020 for the offence punishable under Section 294(b), 324, 506(ii), 379 IPC. Thereafter, the petitioners filed an anticipatory bail petition before the Principal District and Sessions Court, Pudukkottai and the same was allowed on 02.11.2020 on condition to sign before the respondent police daily at 10.30 a.m., until further



orders and the petitioners complied with the condition for 28 days. The second respondent herein filed a petition in Cr.M.P.No.240 of 2021 to cancel the anticipatory bail granted to the petitioners. The Court below, after considering the facts and circumstances of the case, imposed a condition that the petitioners should stay at Thiruvallur and report before the Judicial Magistrate No.1, Thiruvallur daily at 10.30 a.m., and 05.00 p.m., until further orders and on holidays, the petitioners should report before the Thiruvallur Town Deputy Superintendent of Police at 10.30 a.m., and 05.00 p.m., and should not leave Thiruvallur without further orders of the Court below. Aggrieved over the same, the petitioners filed the present criminal original petition.

3.The learned counsel appearing for the petitioners would submit that the petitioners are agricultural coolies and their family members are depending upon them. Due to their forcible stay at Thiruvallur, they have no income and suffering difficulty in finding shelter and food. They are compelled to stay in platform and under bridge.

4.Considering the above submissions and also considering the fact that the offences are not that heinous in nature, this Court is inclined to relax the condition. Accordingly, the condition imposed by the Court below is totally relaxed and this criminal original petition is allowed.

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 District and Sessions Court,
Pudukkottai.
- 2.The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District.



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

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23/03/2021

NA (CO)

KB(31.03.2021) 3P 4C