



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2021

CORAM:

The Hon`ble Mr.Justice K.MURALI SHANKAR

Nr. Crl.O.P. (MD).Nos.13747, 13748, 13749, 13750, 13752, 13753, 13757
and 13758 of 2021

WEB COPY

Crl.O.P. (MD).Nos.13747 of 2021:

Iyappan

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(Crime No.43 of 2019)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) r/w Section 482 of Cr.P.C., to modify the conditions 1 and 2 imposed in Crl.M.P.No.13348 of 2019, dated 21.11.2019 on the file of the Judicial Magistrate No.II, Sivagangai.

Crl.O.P. (MD).Nos.13748 of 2021:

Iyappan

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.
(Crime No.50 of 2019)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) r/w Section 482 of Cr.P.C., to modify the 1st condition imposed in Crl.M.P.No.144 of 2020, dated 04.01.2020 on the file of the Judicial Magistrate, Sivagangai.

Crl.O.P. (MD).Nos.13749 of 2021:

Iyappan

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.104 of 2019)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) r/w Section 482 of Cr.P.C., to modify the conditions imposed in Crl.M.P.No.17 of 2020, dated 04.01.2020 on the file of the Principal District and Sessions Judge, Sivagangai.



Crl.O.P.(MD).Nos.13750 of 2021:

Iyappan

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.

(Crime No.133 of 2019)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) r/w Section 482 of Cr.P.C., to modify the 1st condition imposed in Crl.M.P.No.1962 of 2021, dated 08.07.2021 on the file of the Principal District and Sessions Judge, Sivagangai.

Crl.O.P.(MD).Nos.13752 of 2021:

Iyappan

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

(Crime No.210 of 2019)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) r/w Section 482 of Cr.P.C., to modify the condition imposed in Crl.M.P.No.15 of 2020, dated 04.01.2020 on the file of the Principal District and Sessions Judge, Sivagangai.

Crl.O.P.(MD).Nos.13753 of 2021:

Iyappan

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

(Crime No.224 of 2019)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) r/w Section 482 of Cr.P.C., to modify the conditions imposed in Crl.M.P.No.18 of 2020, dated 04.01.2020 on the file of the Principal District and Sessions Judge, Sivagangai.

Crl.O.P.(MD).Nos.13757 of 2021:

Iyappan

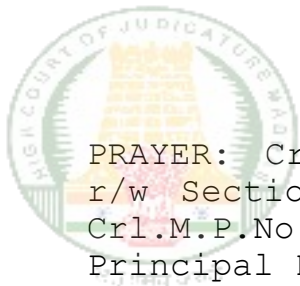
...Petitioner

Vs.

The State represented by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

(Crime No.232 of 2019)

...Respondent



PRAYER: Criminal Original Petition filed under Section 439(1)(b) r/w Section 482 of Cr.P.C., to modify the conditions imposed in Crl.M.P.No.16 of 2020, dated 04.01.2020 on the file of the Principal District and Sessions Judge, Sivagangai.

Crl.O.P.(MD).Nos.13758 of 2021:

Iyappan

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
(Crime No.366 of 2019)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) r/w Section 482 of Cr.P.C., to modify the first condition imposed in Crl.M.P.No.12985 of 2019, dated 13.11.2019 on the file of the Judicial Magistrate Court No.I, Sivagangai.

(in all cases)

For Petitioner

: Mr.M.S.Parthiban

For Respondent

: Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)

COMMOM ORDER

These petitions came to be filed seeking modification of the conditions imposed on the petitioner.

2.The petitioner has filed petitions in Crl.M.P.No.1963 to 1969 of 2021 before the Principal Sessions Court, seeking modification of the conditions imposed on him and the learned Principal Sessions Judge vide order dated 08.07.2021 dismissed the petitions. Aggrieved by the dismissal order, the petitioner has now come forward with the present Criminal Original Petitions.

3.The petitioner's case is that, he is in judicial custody from 27.07.2019 and that since he was not able to produce two separate sureties for each of the cases, the conditions imposed may be modified.

4.No doubt, the learned District Judge, in the dismissal order, has observed that since the alleged offence are very grave and the petitioner is involved in several cases in similar kind of offence and that there is every possibility for him to abscond, has refused to modify the conditions.

5.Considering the facts and circumstances of the cases, this Court is inclined to modify the conditions and the petitioner is directed to furnish two common sureties with respect to the orders



passed by the learned Principal District and Sessions Judge in Crl.MP.No.17/2020, 15/2020, 18/2020 and 16/2020 and two other common sureties with respect to other three cases in Crl.MP.No.13348/2019, 144/2020, 12985/2019 and Crl.M.P.No.1962/2019.

6. With the above modification, these petitions are disposed of.

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 Judicial Magistrate No.I,
Sivagangai.
2. The Judicial Magistrate No.II,
Sivagangai.
3. The Judicial Magistrate, Sivagangai.
4. The Principal District and Sessions Judge,
Sivagangai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD).Nos.13747, 13748, 13749, 13750,
13752, 13753, 13757 and 13758 of 2021
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