



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19338 of 2021

Mahadeer Ali

... Petitioner/Accused No.2

Vs.

State through
The Inspector of Police,
Ilayankudi Police Station,
Sivagangai District.

... Respondent/Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the common order passed by the Principal Sessions Judge, Sivagangai, in Cr.M.P.No.4187 of 2021 dated 11.11.2021 in Crl.M.P.No.3383 of 2021 (pending on the file of the learned Principal District Judge, Sivagangai) and set aside the portion of the onerous condition of directing the petitioner to appear once in a month till the charge sheet filed in concern and relax the condition.

For Petitioner : Mr.S.Siva Ilayaraja

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

O R D E R

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

2.The petitioner was granted anticipatory bail by the Court below. But then, a condition that he should appear before the respondent police once in a month till the filing of the final report was stipulated. The learned counsel for the petitioner would point out that in the case of co-accused, a learned Judge of this Court did not impose any such condition. The petitioner is definitely entitled to treatment of parity. It is stated by the petitioner's counsel that the petitioner is not having any previous case.



3. In view of the said submission, the impugned order is set aside and the condition is totally relaxed. This criminal original petition is allowed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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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,
Sivagangai.
2. The Inspector of Police,
Ilayankudi Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.SIVA ILAYARAJA, Advocate (SR-37641[F] dated 07/12/2021)

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