



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Fourth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL MISCELLANEOUS PETITION No.358 of 2022

IN CRL OP.5237 of 2021

KALA @ JANAKI @ BANUMATHI

[PETITIONER / ACCUSED-4]

Vs

THE STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
Q BRANCH CID,
DHARMAPURI DISTRICT.
CRIME NO.1 OF 2017.

[RESPONDENT / COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to modified the condition in Crl.O.P.No.5237 of 2021 dated 24.03.2021 to report before the Theevattipatty Police Station daily at 10.30 a.m., instead of the petitioner shall appear before the trial court viz., Principal Sessions Judge, Dharmapuri daily at 10.30 a.m on all working days to secure the ends of justice and thus render justice.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.R.SANKARASUBBU, Advocate for the Petitioner and of MR.C.E.PRATAP, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

The petitioner has been charged with for an offence under Sec.13 (i) (b), 18, 19, 20, 38 of Unlawful Activities Prevention Act, 1967 and under Sec.120 (b) I.P.C. Earlier, this Court by an order dated 24.03.2021 in Crl.O.P.No.5237 of 2021 granted bail with a condition that the petitioner shall appear before the Principal Sessions Judge, Dharmapuri daily at 10.30 a.m. on all working days. Now, to modify the said condition, the present petition has been filed.



2. Today, when the matter taken up for hearing, Mr. R.Sankarasubbu, learned counsel appearing for petitioner would submit that, apart from this case, the petitioner was also implicated in two other cases, wherein bail granted with a condition to report before the Theevattipatty Police Station, Salem. In pursuant to the order, the petitioner is appearing before the Theevattipatty Police Station, Salem regularly, and hence, she is not in a position to appear before the trial court as directed by this court. Hence, he prayed to modify the order.

3. The learned Government Advocate (Criminal side) appearing for respondent would submit that after released on bail, the petitioner appearing before the Theevattipatty Police Station, Salem regularly from 07.10.2021.

4. Heard and considered rival submissions of learned counsel appearing for both sides and perused the records.

5. Considering the fact that since the petitioner could not comply with the condition imposed by this Court, as she is appearing before the Theevattipatty Police Station, Salem, this Court is inclined to modify the condition to the effect that, the petitioner shall report before the Theevattipatty Police Station, Salem daily at 10.30 a.m. until further orders instead of appearing before the trial court viz., learned Principal Sessions Judge, Dharmapuri daily at 10.30 a.m.

-sd/-
24/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PRINCIPAL SESSIONS JUDGE,
DHARMAPURI.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
Q BRANCH CID, DHARMAPURI,
DHARMAPURI DISTRICT.



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE OFFICER INCHARGE,
THEEVATTIPATTY POLICE STATION,
SALEM.

C.C. to M/S.R.SANKARASUBBU Advocate on payment of necessary
charges

Order
in
CRL MP.358/2022
in
CRL OP.5237/2021

Date :24/01/2022

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

JPA 27/01/2022