



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.6092 OF 2022

Nagaraj

...Petitioner / Accused

Vs.

The Inspector of Police,
Pallipalayam Police Station,
Namakkal District,
Crime No.514 of 2021

...Respondent / Complainant

PRAYER : This Criminal Original Petition filed under Section 439 (1)(b) of Cr.P.C., to set aside Crl.M.P.No.335 of 2022 in (CNR NO:TNNMO-000610/2022) Cr.No.514 of 2021 before the Principal Sessions Judge, Namakkal Order dated 16.02.2022.

For Petitioner : Mr.M.Senthamizhselvan

For Respondent : Mr.V.Meganathan,
Government Advocate (Criminal Side)

O R D E R

The Criminal Original Petition has been filed seeking to set aside the order passed in Crl.M.P.No.335 of 2022 in (CNR NO:TNNMO-000610/2022) Cr.No.514 of 2021 by the Principal Sessions Judge, Namakkal, dated 16.02.2022.

2. The learned counsel for the petitioner would submit that the petitioner is an accused in Crime No.514 of 2021, registered by the respondent for the offence under Section 147, 148, 323, 324 & 307 of IPC. The petitioner had applied for Anticipatory Bail and he was granted Anticipatory Bail in Crl.M.P.No.1257 of 2021 dated 10.08.2021 by the District Sessions Court, Namakkal with the condition to appear before the respondent daily at 10.30 am and 5.30 pm until further orders. Thereafter, the petitioner had filed the petition to relax the condition in Crl. M.P.1852 of 2021. The learned Judge by order dated 30.09.2021 had relaxed the condition directing the petitioner to appear before the Respondent at police once in a week on every Wednesday at about 10.30 am until further orders. Thereafter, he was affected by covid and due to his illness he was unable to obey the said



condition. Thereby the petitioner had filed CrI.M.P.No.335 of 2021 and the same was dismissed on 16.02.2022. The respondent has completed the investigation and also filed the charge sheet. In such circumstances, necessity of the petitioner to appear before the respondent is not required, whereas, without considering the same the trial Judge had dismissed the application.

3. At this juncture, learned Government Advocate (crl.side) would submit that investigation has been completed and final report has been sent for expert opinion.

4. In view of the above, there is no requirement of the Petitioner to appear before the Respondent Police, accordingly, the said condition is totally relaxed. However, direction is issued to the Petitioner to appear before the Respondent Police as and when required.

5. With the above direction, this Criminal original Petition stands disposed of.

Sd/-
Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

shk/sai

To

1.The Principal Sessions Judge,
Namakkal.

2.The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.

3.The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.6092 of 2022

SR(CO)
RVM(30/03/2022)