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WMP.No.16048 of 2022
in WP.No.3075 of 2022

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N. SATHISH KUMAR, J.

This miscellaneous petition has been filed to modify the condition No.ii at paragraph No.18 imposed on the petitioner's father by an order dated 23.02.2022 in W.P.No.3075 of 2022 and the relevant paragraph is extracted as hereunder.

"18. This Court is of the opinion, taking into consideration, the health condition of the petitioner's father, the prayer of the petitioner can be considered on humanitarian grounds subject to the following conditions:-

i. The petitioner's father shall stay at No.57, 56th Street, Journalist Colony, Thiruvanmiyur, Chennai 600 041 and he shall not move out of the location without intimating the fourth respondent. It is made clear that the petitioner's father shall not contact anyone else during his stay at Chennai.

ii. The petitioner's father will be subjected to round the clock surveillance by the fourth respondent and local police and further round the clock escorts shall be posted at the residence at the petitioner's cost.

iii. The petitioner's father shall not interfere with the investigation of the case and he shall not tamper with the evidence.

iv. If any modification is required, the petitioner shall



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approach this Court".

2. The above condition was passed mainly on the undertaking given by the learned counsel for the petitioner before this Court and relevant paragraph is extracted as below:-

"14. The learned counsel for the petitioner further submits that the petitioner is prepared to abide in any stringent condition that may be imposed by this Court and the petitioner's father is also ready to be under 24 hours surveillance. The petitioner's family is presently residing at No.57, 56th Street, Journalist Colony, Thiruvanmiyur, Chennai 600 041 and having registered with the jurisdictional Police Station, they are prepared to appear before the local police as and when required".

3. The learned counsel for the petitioner submitted that though the petition has been filed to modify the condition No.(ii) at paragraph No.18 but in the due course G.O. has been passed to revoke the detention order and hence he prayed that the condition imposed on the petitioner's father may be relaxed.

4. The learned Additional Public Prosecutor has not disputed the fact that the detention order has been revoked and submitted that the bill amount



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for the Escort charges from 28.02.2022 to 28.03.2022 is Rs.5,78,098/- and from 28.03.2022 to 06.04.2022 is Rs.3,22,008/- totally Rs.9,00,106/- has to be paid by the petitioner's father and from 06.04.2022 to till date i.e., 12.07.2022 the Escort fees is continuing and the same will be intimated to the petitioner's father and produced the bills before this Court to that effect.

5. At this juncture, the learned counsel for the petitioner submitted that the detenue is ready to pay the amount but he requires some reasonable time in this regard and his undertaking is recorded.

6. Heard both sides.

7. Considering the fact that the detention order has already been revoked vide G.O.(1D)No.220 dated 29.06.2022 and the same has not been disputed by the learned Additional Public Prosecutor, the condition No.ii at paragraph No.18 imposed on the petitioner's father by this Court vide order dated 23.02.2022 in W.P.No.3075 of 2022 stands relaxed and the respondent police is permitted to recover the amount of Rs.9,00,106/- from the detenue i.e., from 28.02.2022 to 28.03.2022 Rs.5,78,098/- and from 28.03.2022 to



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06.04.2022 Rs.3,22,008/- and escort was extended from 06.04.2022 to till date ie., (12.07.2022) and the balance amount shall be intimated to the petitioner's father. The learned counsel for the petitioner undertakes to pay the same within a period of three to six months from the date of receipt of a copy of this order. Escort provided to the detenue shall be removed forthwith.

8. With the above direction and observation the miscellaneous petition is disposed of.

12.07.2022

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