



WEB COPY



CrI.O.P.No.16155 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.16155 of 2022

1. Shanthamallu
2. Lingam @ Linganna
3. Nandish @ Nandeeswara
4. Prasanth

... Petitioners

Vs.

The Inspector of Police,
Hassanur Police Station,
Erode District.

... Respondent

Prayer: Criminal Original Petition filed under Section 439(1)(b) Cr.P.C. to modify the condition imposed in CrI.M.P.No.1715 of 2022 order date 20.06.2022 in the file of the Principal District and Sessions Court, Erode.

For Petitioners : M/s M.Karthika

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (CrI.Side)

ORDER

This petition has been filed for modification to modify the condition imposed in CrI.M.P.No.1715 of 2022 dated 20.06.2022 on the file of the Principal

District and Sessions Court, Erode.

<https://www.mhc.tn.gov.in/judis>



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The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant. It is also alleged that the petitioners abused the defacto complainant in filthy language and also attacked him, due to which the defacto complainant sustained injuries. Hence, the complaint.

3. While granting anticipatory bail to the petitioners, the Court below imposed certain conditions as follows :-

"(v) That the petitioners shall stay at Gobichettipalayam Town and shall not leave Gobichettipalayam Town until further orders,

*(vi) That the petitioners shall appear before the Inspector of Police, Gobichettipalayam Police Station daily at 10.00 am and sign, **for a period of 30 days and subject to further extension.**"*

4. The learned counsel appearing for the petitioners would submit that the petitioners are regularly complying with the conditions as imposed by the Court below. Since the petitioners are doing agricultural activities in Kodipuram Village in Talamalai Hills, the petitioners are unable to stay at Gobichettipalayam and comply with the conditions. Hence, he prays to modify the condition imposed on the petitioners.



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5. The learned Government Advocate (CrI.Side) opposed to modify the condition imposed on the petitioners.

6. Heard M/s M.Karthika, learned counsel appearing for the petitioners and Mr.V.J.Priyadarsana, learned Government Advocate (CrI. Side) appearing for the respondent.

7. It is seen that the Court below directed the petitioners to stay at Gobichettipalayam and report before the Inspector of Police, Gobichettipalayam Police Station for a period of 30 days. Considering the facts and circumstances of the case and also the submissions made by the learned counsel for the petitioners, this Court is inclined to modify the above said conditions.

8. Accordingly, the condition imposed on the petitioners is modified as follows :

"The petitioners shall report before the respondent Police daily at 10.00 am for the remaining period."

The other conditions shall remain intact.



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9. This Criminal Original Petition is ordered accordingly.

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Index : Yes/No

Internet : Yes

Speaking/non speaking order
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To

- 1.The Principal District and Sessions Court,
Erode.
2. The Inspector of Police,
Gobichettipalayam Police Station.
- 2.The Inspector of Police,
Hassanur Police Station,
Erode District.
- 3.The Public Prosecutor,
High Court, Madras.

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