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Crl.O.P No.28680 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.28680 of 2022

1. G.Sundaravel
2. N.Govindaraj
3. G.Mohana
4. K.R.Jayakumar
5. S.Malliga

... Petitioners

Vs.

The State,
Rep. by The Sub Inspector of Police,
Komarapalayam Police Station,
Namakkal District.
(Cr. No.259/2022)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside and modify the condition in Cr.M.P. No.1747 of 2022 (Cr. No.259 of 2022 on the file of the respondent police) was granted by the Principal Sessions Judge, Namakkal dated 08.09.2022 in so far as the condition is concerned.

For Petitioner : Mr.S.P.Yuaraj

For Respondent : Mr.S.Santhosh

Government Advocate (Crl. side)



ORDER

This Criminal Original Petition has been filed to set aside and modify the condition in Cr.M.P. No.1747 of 2022 (Cr. No.259 of 2022 on the file of the respondent police) granted by the Principal Sessions Judge, Namakkal dated 08.09.2022.

2. The petitioners are the accused in Cr. No.259 of 2022 registered for the offences under Section 294(b), 323, 427 & 506(1) IPC. The petitioners have filed a petition for anticipatory bail in Cr.M.P.No.1466 of 2022 and anticipatory bail has been granted to them on 02.08.2022 with a condition that they should report and sign before the respondent police daily at 10 a.m. until further orders. Thereafter the petitioners have filed a petition in Cr.M.P.No.1747/2022 before the learned Principal Sessions Judge, Namakkal to relax the said condition. However, the learned Judge had chosen to modify the condition from 'daily' to 'once in a week on every Tuesday'. Aggrieved over the same, the present petition has been filed.

3. The learned counsel for the petitioners submitted petitioners are relatives and they are already complying the condition regularly and hence the condition may be relaxed totally.



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4. Since the earlier modification order was passed by the learned Principal Sessions Judge, Namakkal and the petitioners are said to have complied the condition so far, the petitioners are at liberty to file a petition either to relax or modify the present condition before the learned Principal Sessions Judge, Namakkal. And on receipt of the same, the learned Principal Sessions Judge, Namakkal shall consider the change of circumstances and other attending factors and pass appropriate orders.

5. With the above observation, this Criminal Original Petition is disposed.

23.11.2022

Index : Yes/No
Speaking Order : Yes / No
bkn

To:

1.The Sub Inspector of Police,
Komarapalayam Police Station,
Namakkal District.

2. The Principal Sessions Judge, Namakkal.

3.The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.,

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