



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/01/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI
CRL OP(MD). No.904 of 2022

WEB COPY

1. Gowrisangar @ Gowrishangar,
S/o. Selvaraj, No.3/76, Santhaipettai
Street, Vettuvakkottai,
Thanjavur District..

2. Raja @ Raja Shankar,
S/o. Selvaraj, No.3/76, Santhaipettai
Street, Vettuvakkottai,
Thanjavur District..

3. C.Kupenthiran @ Kuperan,
S/o. Chandran, No.C/5, High Court
Worker and Officer Hostel, Mattuthavani,
Madurai District..

4. Uthrapaty,
S/o. Rengasamy, 1/159, South Street,
Pattuvankottai, Thanjavur..

5. Monogaran @ Manogaran,
S/o. Peramaiya, 1090c, Agrakaram Theru,
Perungalur, Pudukkottai..

... Petitioners/Accused NO.1 to 5

Vs

The Inspector of Police,
Athanakottai Police Station, Pudukottai
District. Cr.No. 198 of 2021..

... Respondent/Complainant

For Petitioner : M/s.Dhilipanpandian R.L.,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

PRAYER : This petition is filed under Section 482 r/w 439 (1)(b) of Criminal Procedure Code, to modify the condition imposed by the Special Court for Trial of SC/ST Cases, Pudukkottai in Crl.MP.No.1005 of 2021 vide its order dt.17.12.2021 by permitting the Petitioners to appear before the Respondent Police daily at 10.30 a.m. for 15 days and once in 15 days for one month instead of appearing before respondent police daily at 10.30 a.m. For 30 days and once in 15 days until charge sheet is filed.



ORDER

A case in Crime No.198 of 2021 was registered against the petitioners under Sections 143, 342, 294(b), 323, 506(i), 365 and 379 of IPC and Sections 3 (1) (e), 3 (1) (r) and 3 (2) (va) of SC/ST (PoA) Act, 1989 and Sections 3 and 4 of TN Prohibition of Charging Exorbitant Interest Act, 2003.

2.This Court has passed an order in Crl.O.P.(MD).No.15792 of 2021 dated 03.12.2021. On the basis of that order, the petitioners surrendered before the trial Court namely Special Court for trial of SC/ST Act Cases, Pudukkottai along with a petition for bail in Crl.M.P.No.1005 of 2021. The trial Court granted bail to the petitioners with certain conditions.

3.On the side of the petitioner, it is stated that the trial Court has passed an order to sign before the respondent police daily for a period of 30 days and once in 15 days till the charge sheet is filed. The petitioners have complied the condition for the past 25 days. The third petitioner is a Government employee. The first petitioner is working in a private financial institution. Charge sheet may not be filed in the near future. The petitioners are not able to comply the condition till the filing of the charge sheet and prayed the condition to be relaxed.

4.On the side of the prosecution it is stated that the petitioners were released on bail on 11.12.2021 and they are obliging the condition from 23.12.2021 till date. The conditions imposed by the trial Court is reasonable and prayed the petition to be dismissed.

5.It is seen that the petitioners complied the condition for the past 28 days and hence, the second condition imposed by the trial Court is hereby relaxed. After the completion of 30 days, the petitioners are directed to appear before the trial Court on all hearing dates.

6.With the above directions, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

<https://hcservices.ecourts.gov.in/hcservices/>



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

- To
1. The Special Sessions Judge,
Special Court for Trial of SC/ST Cases,
Pudukkottai
 2. The Inspector of Police,
Athanakottai Police Station,
Pudukkottai District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) No.904 of 2022
Date : 21/01/2022

RD(15.02.2022) 3P 4C