



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2022

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CRL OP(MD) . No.4264 of 2022

P.Prakash Britto ... Petitioner/Petitioner

Vs

1.The Deputy Superintendent of Police,
Tenkasi, Tenkasi District.

2.The Inspector of Police,
Sendhamaram Police Station,
Tenkasi.

(Crime No.6 of 2022) ... Respondents 1&2/Complainant

3.Shanmugavel ... 3rd Respondent/Defacto complainant

Prayer: This Criminal Original Petition has been filed under Section 482 R/W 439(1)(B) of Cr.P.C., to modify the condition No.2 imposed in Cr.M.P.No.72 of 2022 on the file of the learned II Additional Sessions Judge, Tirunelveli dated 14.02.2022.

For Petitioner : Mr.S.Sukumar

For Respondents : Mr.M.Muthumanikkam

Government Advocate (Crl. Side) for R1&R2

ORDER

This Criminal Original Petition has been filed seeking to modify the condition imposed by the learned II Additional District and Sessions Judge, (FAC), Tirunelveli, in Cr.M.P.No.72 of 2022, dated 14.02.2022, directing the petitioner to appear and sign before Nanguneri Police Station daily twice at 09.00 a.m., and 05.00 p.m., until further orders.

2.The learned counsel for the petitioner would submit that the petitioner is a practising advocate and he has already been appeared for 10 days and that the above condition may be modified.

3.The learned Government Advocate (Criminal side) would submit that the petitioner herein is having two previous cases and considering the nature of charges levelled against the petitioner and also his bad antecedents, the learned Sessions Judge has rightly imposed the said condition.



4.Considering the above facts and also the fact that the petitioner has complied with the condition for 10 days, this Court is inclined to modify the condition to the effect that the petitioner is directed to appear before Nanguneri Police Station weekly once (i.e.) on every Monday at 10.30 a.m, until further orders and other conditions imposed by the trial Court shall remain unaltered. The petitioner is at liberty to approach the concerned Court for further relaxation or modification, if any required.

5.In the result, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

CSM

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.

To

1.The II Additional District and Sessions Judge,
Tirunelveli.

2.The Deputy Superintendent of Police,
Tenkasi, Tenkasi District.

3.The Inspector of Police,
Sendhamaram Police Station, Tenkasi.

4.The Inspector of Police,
Nanguneri Police Station, Tirunelveli.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.SUKUMAR, Advocate (SR-10065[F] dated 04/03/2022)

CRL OP(MD) No.4264 of 2022
04.03.2022

NA(CO)

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