



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

Monday, the Eleventh day of July Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL MP(MD) Nos.7615 & 7616 of 2022
IN
CRL OP(MD) No.8931 of 2022

CRL MP(MD) No.7615 of 2022:

JEYAPRABHU ... PETITIONER / PETITIONER / PETITIONER

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
UTHAMAPALAYAM POLICE STATION, THENI DISTRICT.
CRIME NO.147 OF 2020. ... RESPONDENT / RESPONDENT / RESPONDENT

Prayer in CRL MP(MD). 7615/ 2022 :

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to relax the condition imposed upon the Petitioner in Crl.OP.(MD). No.8931 of 2022 dt.6.5.2022.

CRL MP(MD) No.7616 of 2022:

THE STATE REP.BY,
THE INSPECTOR OF POLICE
UTHAMAPALAYAM POLICE STATION, THENI DISTRICT.
CRIME NO.147 OF 2020. ... PETITIONER / RESPONDENT

Vs

JEYAPRABHU ... RESPONDENT / PETITIONER

Prayer in CRL MP(MD). 7616/ 2022 :

To modify the condition imposed on the Respondent vide order dated 6.5.2022 in Crl.OP.(MD).No.8931 of 2022 and thereby directing the Respondent to report before any other court at Madurai.

Order : These petitions coming up for orders on this day, upon perusing the petitions filed in support thereof and upon hearing the arguments of MR.C.IYYAPPARAJ, Advocate for the petitioner IN CRL MP (MD) No.7615 of 2022 and for the respondent IN CRL MP(MD) No.7616 of 2022 and of MR.M.VAIKKAM KARUNANITHI, Government Advocate (Crl. Side) on behalf of the Respondent IN CRL MP(MD) No.7615 of 2022 and for the petitioner IN CRL MP(MD) No.7616 of 2022, the court made the following order:-

Crl.OP(MD)No.7615 of 2022 is filed by the petitioner namely Jeyaprabhu seeking relaxation of the condition, that has been imposed upon him in Crl.OP(MD) No.8931 of 2022, dated 06/05/2022,



whereas Crl.OP(MD)No.7616 of 2022 filed on the side of the prosecution seeking modification of the condition imposed on the respondent namely Jeyaprabhu by this court in Crl.OP(MD)No.8931 of 2022, dated 06/05/2022.

2.The learned counsel appearing for the petitioner in Crl.OP(MD)No.7615 of 2022 would submit that as per the order of this court, dated 06/05/2022, made in Crl.OP(MD)No.8931 of 2022, the petitioner has been complying the condition from 14/05/2022 till date. The earlier petition that was filed by him for relaxing the condition was dismissed in Crl.MP No.6450 of 2022, on 21/06/2022. Against which, this petition has been filed seeking relaxation.

3.The earlier relaxation petition filed by the petitioner was dismissed, noting that the petitioner is involved in 15 previous cases and one retaliation murder case was also pending. Absolutely, no change of circumstances.

4.But however, the respondent has also filed Crl.MP(MD)No.7616 of 2022 seeking modification on the ground that the respondent Jeyaprabhu, whenever appears before the trial court, high bundobust was provided, since he is facing life threat from the rival group. The police wants the condition to be modified to the effect that to appear before the Madurai court instead of Theni court.

5.It appears that in respect of the issue, as mentioned earlier, retaliation was also done and another murder case in Crime No.733 of 2022 is also pending investigation. In view of the difficulty, that was expressed by the police in providing bundobust, this court is of the considered view that the condition can be modified.

6.But the learned counsel appearing for the respondent/Jeyaprabhu would submit that the condition may be modified to report before any police Station in Chennai, in view of the fear apprehension on the part of the petitioner with regard to his life.

7.So in the back ground of the above said facts and circumstances of this case, I am of considered view the relaxation is not permissible, since the accused Jeyaprabhu involved in several cases, which are assault and attempt to murder, etc.

8.So the petition in **Crl.OP(MD)No.7615 of 2022 filed by the petitioner (Jeyaprabhu) for modification is dismissed.**

9.So far as the Crl.MP(MD)No.7616 of 2022 is concerned, the condition is modified to the effect that the respondent namely Jeyaprabhu must stay at Chennai and report before the Flower Bazar Police daily at 10.00 am until further orders. He must also co-operate for the completion of the trial process by the trial court, except the hearing dates fixed by the trial court.



10. Accordingly, Crl.MP(MD)No.7616 of 2022 filed on the side of the prosecution is allowed as noted above.

sd/-
11/07/2022

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/07/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE ADDITIONAL SESSIONS JUDGE,
FAST TRACK COURT, THENI.
- 2 THE INSPECTOR OF POLICE
UTHAMAPALAYAM POLICE STATION, THENI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE INSPECTOR OF POLICE,
FLOWER BAZAR POLICE STATION,
CHENNAI.

ORDER
IN
CRL MP(MD) Nos.7615 & 7616
of 2022
IN
CRL OP(MD) No.8931 of 2022
Date :11/07/2022

MK/VR/SAR.II/14.07.2022/3P/5C