



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2022

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.12517 of 2022

1.Balaji

2.Kala @ Sasikala

3.Baby Prasad

... Petitioners/Petitioner/

Accused No.1 to 3

VS.

The Sub Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime No.204 of 2022)

... Respondent/Respondent/
Complainant

PRAYER: Criminal Original Petition filed under Section 482 r/w 439 (1) (B) of the Code of Criminal Procedure, to modify the conditions regarding in Crl.MP(MD)No.3169 of 2022 on the file of the Principal Sessions Judge, Nagercoil, dated 27.06.2022 to surrender the petitioners before the Judicial Magistrate, Nanguneri instead of Judicial Magistrate, Eraniel and the petitioners appear one time and sign before the Karungal Police Station instead of Kanyakumari Police Station at 10.00 a.m.



For Petitioners : Mr.N.Kamesh
For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

ORDER

This petition is filed to modify the conditions imposed by the learned Principal Sessions Judge, Nagercoil, in Crl.MP(MD)No.3169 of 2022 dated 27.06.2022 to surrender the petitioners before the Judicial Magistrate, Nanguneri instead of Judicial Magistrate, Eraniel and the petitioners appear and sign before the Karungal Police Station instead of Kanyakumari Police Station at 10.00 a.m.

2.This learned learned Principal Sessions Judge, Nagercoil, has granted anticipatory bail to the petitioners on 27.06.2022 with a condition that the petitioners should surrender before the learned Judicial Magistrate, Eraniel, and also appear and sign before Sub Inspector of Police, Kanyakumar Police Station daily twice at 10.00 a.m and 05.00 p.m until further orders.

3.The learned counsel for the petitioners would submit that the first petitioner is working as driver in the private company. The second



petitioner is taking treatment for her knee pain and she is not in a position to travel. The third petitioner is a daily wage labour and going for Mahatma Gandhi Rural Employment Guarantee Scheme. In such circumstances, the petitioners are not in a position to sign twice before the Kanyakumari Police Station at 10.00 a.m, and 05.00 p.m. Similarly, they are not in a position to surrender before the Judicial Magistrate, Eraniel. But, ready to surrender before the learned Judicial Magistrate, Nanguneri. Hence, he seeks above said modification.

4.The petitioner may approach the concerned Court for modification by setting out the facts and circumstances. If that is rejected, then he may approach this Court.

5.With the above said liberty, this Criminal Original Petition is disposed of.

12.07.2022

dss

Index : Yes/No

Internet: Yes

Speaking/Non-Speaking order



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G.ILANGO VAN , J.

dss

To

- 1.The Principal Sessions Judge,
Nagercoil.
- 2.The Sub Inspector of Police,
Karungal Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.OP(MD)No.12517 of 2022

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