



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2022

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.13233 of 2022

1.Frauk @ Mohammed Farook

2.Mohammed Jakriya

3.Mohammed Rafeeq

4.Mohammed Ismail

5.Sheik @ Sheik Abdullah ... Petitioner/Accused No.3 to 7

vs.

State represented by
The Inspector of Police,
Thuvarankurichi Police Station,
Thiruchirapalli District.
(In Crime No.91 of 2022)

... Respondent/Respondent

PRAYER: Criminal Original Petition filed under Section 439-1 (B) r/w 482 of the Code of Criminal Procedure, to set aside the order of the learned Principal District and Sessions Judge, Thiruchirapalli in Crl.M.P.No.2713 of 2022, dated 01.07.2022, subsequently to relax the conditions totally.

For Petitioners : Mr.S.M.A.Jinnah

For Respondent : Mr.M.Vaikkam Karunanithi

Government Advocate (Crl.Side)



ORDER

This petition is filed to set aside the order passed by the learned Principal District and Sessions Judge, Thiruchirapalli, made in CrI.M.P.No.2713 of 2022, dated 01.07.2022.

2.The petitioners were enlarged on anticipatory bail by the Sessions Mahila Court, Vacation Sessions Judge, Thiruchirapalli, in CrI.M.P.No.244 of 2022 on 19.05.2022 with conditions. One of the condition is that they should appear and sign before the respondent police station daily at 10.00 a.m, for a period of 30 days and also directed the petitioners that they should not leave the town without prior permission of the Court. Due to the health condition and the financial crisis, the petitioners is not in a position to comply the condition. Hence, they moved CrI.M.P.No.2713 of 202 before the Principal District and Sessions Court, Thiruchirapalli, to relax the condition entirely. That petition was allowed only in respect of petitioners 1 & 4. In respect of other petitioners it was dismissed. Against the above said order, this petition has been filed.



WEB COPY

3.The learned counsel for the petitioners would submit that the petitioners 1 & 4 are senior citizens and other petitioners are also aged persons and diabetic patients. All are residing in Manaparai and Thuvarangurichi and they are not in a position to appear before the Thirupur Taluk Police Station daily. Hence, he seeks set aside the above said order.

4.The learned Government Advocate (Crl.Side) would submit that the condition has been complied by the petitioners. Hence, the matter become infructuous.

5.In view of the submission made by the learned Government Advocate (Crl.Side), this petition is allowed and the condition imposed by the Principal District and Sessions Judge, Thiruchirapalli, made in Crl.M.P.No.2713 of 2022, dated 01.07.2022 is set aside. The petitioners may appear before the concerned Court on receipt of summon.

28.07.2022

dss

Index : Yes/No

Internet: Yes

Speaking/Non-Speaking order



WEB COPY



G.ILANGO VAN, J.

dss

To

- 1.The Principal District and Sessions Judge,
Thiruchirapalli.
- 2.The Inspector of Police,
Thuvarankurichi Police Station,
Thiruchirapalli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.OP(MD)No.13233 of 2022

28.07.2022