



Crl.O.P(MD)No.16874 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Crl.O.P(MD)No.16874 of 2022

1.K.Mohamed Siddiq

2.K.Abdul Hameed

3.Mohamed Hussain

... Petitioners

Vs

The Deputy Superintendent of Police,
Uthamapalayam Sub Division,
Cumbum North Police Station,
Crime No.231 of 2022

... Respondent

PRAYER: Petition filed under Section 482 r/w 439(1)(b) of Cr.P.C., to modify the condition imposed in the order made in Crl.M.P.No.947 of 2022, dated 14.09.2022 on the file of the Special Judge for Trial of Cases under SC/ST (POA) Act, Theni in regards to the appearance and allow to appear before any other Judicial Magistrate within Theni District.

For Petitioners : Mr.K.K.Samy

For Respondent : Mr.M.Veerendhiran
Government Advocate(Crl.Side)



Crl.O.P(MD)No.16874 of 2022

ORDER

WEB COPY

This Criminal Original Petition has been filed to modify the condition imposed in the order made in Crl.M.P.No.947 of 2022, dated 14.09.2022 on the file of the Special Judge for Trial of Cases under SC/ST (POA) Act, Theni in regards to the appearance and allow to appear before any other Judicial Magistrate within Theni District.

2.The learned counsel for the petitioners would submit that the petitioners are senior citizens and the second petitioner is suffering from kidney ailment and taking treatment from his house and hence, they could not able to comply with the conditions imposed by the Court below.

3.The learned Government Advocate (Criminal Side) appearing for the respondent police has no serious objections for allowing this petition.

4.Considering the above submission made by the learned counsel on either side, the condition imposed in paragraph No.13(b) in Crl.M.P.No.947 of 2022, dated 14.09.2022 on the file of the Special Judge for Trial of Cases under SC/ST (POA) Act, Theni, is modified to the effect that the petitioners shall appear before the learned Judicial Magistrate, Uthamapalayam, daily at 10.30



CrI.O.P(MD)No.16874 of 2022

a.m., until further orders. In respect of other conditions, the order of the learned Special Judge for Trial of Cases under SC/ST (POA) Act, Theni, shall remain unaltered.

5.The Criminal Original Petition is ordered accordingly.

20.09.2022

Index: Yes/No
Internet: Yes/No
sjj

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 Special Judge for Trial of Cases under SC/ST (POA) Act, Theni.
- 2.The Deputy Superintendent of Police,
Uthamapalayam Sub Division,
Cumbum North Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P(MD)No.16874 of 2022

A.A.NAKKIRAN, J.

sjj

CrI.O.P(MD)No.16874 of 2022

20.09.2022