



WEB COPY



Crl.O.P.No.11575 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.05.2023

CORAM :

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Crl.O.P.No.11575 of 2023

Aravind @ Dixon Aravind

.. Petitioner

VS

State Rep. By
The Inspector of Police,
R.S.Puram Police Station,
Coimbatore City.
(Crime No.74 of 2023)

.. Respondent

Petition filed under Section 482 of Cr.P.C to set aside order dated 27.04.2023 passed by learned Principal District and Sessions Judge, Coimbatore in C.M.P.No.2368 of 2023 in C.M.P.No.1833 of 2023 in Crime No.74 of 2023.

For Petitioner : Mr.L.Mouli

For Respondent : Mr.S.Vinoth Kumar
Government Advocate
(Criminal Side)

ORDER

This criminal original petition has been filed by the petitioner to set aside the order dated 27.04.2023 passed by the learned Principal District and Sessions Judge, Coimbatore made in C.M.P.No.2368 of 2023 in C.M.P.No.1833 of 2023 in Cr.No.74 of 2023.



Crl.O.P.No.11575 of 2023

WEB COPY

2. Learned counsel for the petitioner submitted that the petitioner apprehending arrest at the hands of respondent / police, for the alleged offences punishable under Sections 147, 148, 506(ii) IPC r/w 149 IPC and Section 27(i) of Arms Act r/s Section 149 of IPC and Section 24(1B) (a) of Arms Act r/w Section 149 IPC, has filed anticipatory bail petition, in C.M.P.No.1833 of 2023, which was ordered by the trial Court vide order dated 11.04.2023, subject to certain conditions. The learned counsel further submitted that, due to the threat and harassment exerted from the respondent / police, the petitioner filed a petition for modification, which was dismissed by the trial Court on 27.04.2023. Thus, the learned counsel submits that the conditions imposed may be modified to the extent necessary and prays for allowing this petition.

3. Per contra, learned Government Advocate (Criminal Side), vehemently opposed for granting relief to the petitioner as the offences are grave in nature. He further submitted that the petitioner ought not have complied with the conditions imposed by the trial Court and denied the alleged harassment meted out to the petitioner. Therefore, he prays for dismissal of the petition.



Crl.O.P.No.11575 of 2023

4. Heard learned counsel on either side and perused the material records of the case.

5. Considering the facts and circumstances of the case, this Court is inclined to set aside the impugned order. Accordingly, the impugned order dated 27.04.2023 is set aside and the condition No.5(iv) imposed in C.M.P.No.1833 of 2023 vide order 11.04.2023 is modified to the effect that the petitioner shall appear before the learned Judicial Magistrate No.1, Coimbatore. Barring the aforesaid, all the conditions imposed therein remain unaltered.

6. This criminal original petition is disposed of accordingly.

18.05.2023

Index:Yes/No
Neutral Citation:Yes/No
ssm

To

1.The Inspector of Police,
R.S.Puram Police Station,
Coimbatore City.

2.The Principal District and Sessions Judge,
Coimbatore.

3.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.11575 of 2023

A.A.NAKKIRAN,J.

ssm

Crl.O.P.No.11575 of 2023

18.05.2023