



Crl.O.P.No.12207 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.12207 of 2023

Manoharan

... Petitioner

Vs.

State rep. by
The Inspector of Police,
CCB Team -15 Police Station,
Vepery,
Chennai District.
(Crime No.35 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C., pleased to set aside the order made by Vacation Sessions Judge, Chennai in Crl.M.P.No.11409 of 2023 dated 17.05.2023 and to modify the bail condition imposed that the petitioner shall report before the respondent police everyday at 10 a.m., until further orders in Crl.M.P.No.9727 of 2023 order dated 25.04.2023.

For Petitioner : Mr.J.Kather Hussain

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed to set aside the order made by Vacation Sessions Judge, Chennai, in Crl.M.P.No.11409 of 2023 dated 17.05.2023 and to modify the bail condition imposed by the learned Principal Sessions Judge, Chennai, in Crl.M.P.No.9727 of 2023 dated 25.04.2023 that “the petitioner shall report before the respondent police daily at 10.00 a.m., until further orders”.

2. The learned counsel for the petitioner submitted that the petitioner is a Chronic Hypertensive and diabetic patient whose condition is badly deteriorated due to the stress associated with this case and the scorching summer days. Every day, he has to travel from Medavakkam to Veppery to sign before the respondent police which become a tedious process owing to his health condition. The petitioner had filed a modification petition in Crl.M.P.No.11409 of 2023 before the Vacation Sessions Judge, Chennai, and the same was misconstrued to be a total relaxation petition instead of modification petition and thereby, dismissed the same. The petitioner had filled the above modification petition only on medical grounds. Hence, he prays for modification of the said condition.



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3. Learned Government Advocate (Crl. Side) submitted that the petitioner has been regularly complying with the condition.

4. Considering the submissions of the learned counsel on either side, the condition imposed by the learned Principal Sessions Judge, Chennai, in Crl.M.P.No.9727 of 2023 dated 25.04.2023 as confirmed by the learned Vacation Sessions Judge, Chennai in Crl.M.P.No.11409 of 2023 dated 17.05.2023, **is modified to the effect that the petitioner shall report before the respondent police on the 1st and 3rd Saturday of every month at 04.30 a.m. until further orders.**

5. With the above directions, this Criminal Original Petition stands ordered.

01.06.2023

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A.D.JAGADISH CHANDIRA.,J.

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To

1. The Vacation Sessions Judge, Chennai
2. The Principal Sessions Judge, Chennai
3. The Inspector of Police,
CCB Team -15 Police Station, Vepery,
Chennai District.
4. The Public Prosecutor,
High Court of Madras.

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