



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Fourteenth day of February Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

Crl.O.P. (MD) .No.2881 of 2023

Krishnaveni

...Petitioner/Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
Crime No.34 of 2023

...Respondent/Respondent

PRAYER: Criminal Original Petition filed under Section 439(1) (b) r/w 482 of the Cr.P.C., to modify the conditions 1 and 2 imposed made in Crl.M.P.No.370 of 2023, dated 30.01.2023 by the learned Principal Sessions Judge, Dindigul.

For Petitioner	:	Mr.G.M.Xavier
For Respondent	:	Mr.T.Senthilkumar Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to modify the conditions 1 and 2 imposed by the learned Principal Sessions Judge, Dindigul in Crl.M.P.No.370 of 2023, dated 30.01.2023.

2.The case of the prosecution is that on 18.01.2023 at about 01.30 p.m., the de-facto complainant was fencing his land, at that time, the accused unlawfully assembled with deadly weapon, abused the de-facto complainant in filthy language, attacked him and damaged the fence to the tune of Rs.22,500/- and also threatened him with dire consequences. Hence, the case.

3.It is seen that the trial Court by order dated 30.01.2023 had granted anticipatory bail on condition that the petitioner was directed to deposit Rs.5,625/- before the Additional District Munsif cum Judicial Magistrate Court, Vendasandur to the credit of Crime No.34 of 2023 on the file of the respondent police and further directed the petitioner, in the event of arrest by the respondent



police or her surrender before the learned Additional District Munsif-cum-Judicial Magistrate, Vedadandur within 15 days from the date of that order, be released on bail on executing a bond along with two sureties each for a likesum of Rs.15,000/- to the satisfaction of the learned Additional District Munsif cum Judicial Magistrate, Vedaandur and further directed the petitioner to appear before the respondent police daily at 10.00 a.m., for a period of 30 days. Challenging the above said order, the petitioner has filed the present petitions before this Court.

4.The learned counsel for the petitioner would submit that the petitioner is an innocent and a false complainant has been given by the de-facto complainant. He would further submit that the petitioner is studying 2nd year Nursing Course at G.T.N. College, Dindigul and that she is are ready to appear before the learned Judicial Magistrate concerned and execute the bond, but due to inability, she is not in a position to appear before the respondent police to comply with the above said condition. Hence, the petitioner has filed the present petition with the above said prayer.

5.The learned Government Advocate (Crl. side) would submit that the conditions imposed by the trial Court are reasonable and hence, he would object for allowing this petition.

6.Heard. Perused the materials available on record.

7.Taking into consideration the facts and the submissions, the condition No.3 imposed by the learned Principal Sessions Judge, Dindigul in Crl.M.P.No.370 of 2023, dated 30.01.2023 is modified to the effect that "the petitioner shall report before the respondent every Saturday at 06.30 p.m until further orders. All other conditions in the said order dated 30.01.2023 shall remain unaltered.

8.With the above modifications, this Criminal Original Petition is partly allowed.

sd/-
14/02/2023

/ TRUE COPY /

/02/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI



TO

1. THE PRINCIPAL SESSIONS JUDGE, DINDIGUL.
2. THE ADDITIONAL DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE COURT,
VEDASANDUR.
3. THE INSPECTOR OF POLICE,
VADAMADURAI POLICE STATION,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.XAVIER.G.M. Advocate SR.No.2233(D)

ORDER

IN

CRL OP(MD) No.2881 of 2023

Date :14/02/2023

NA/SBN/SAR-2/21.02.2023/3P/6C