



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 09.03.2023

CORAM

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The HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP (MD) No.4014 of 2023

Thirukannan

... Petitioner/Petitioner
/Petitioner/Accused No.1

Vs.

State Rep.by
The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
(Crime No.82 of 2022)

... Respondent/Respondent
/Respondent/Complainant

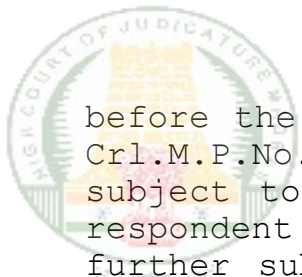
PRAYER :- Criminal original petition filed under Section 482 r/w 439 (i)(b) of the Criminal Procedure Code to call for the records relating to the order dated 04.01.2023 made in Crl.M.P.No.81 of 2023 on the file of the Principal District and Sessions Judge, Ramanathapuram dismissing the application filed for modification of the condition imposed in Crl.M.P.No.3532 of 2022 on the file of the Principal District and Sessions Judge, Ramanathapuram and set aside the same as illegal and directing the petitioner to appear before the Judicial Magistrate Court, Ramanathapuram for complying the condition.

For Petitioner : Mr.D.Balakumar, Advocate
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate(Crl.side)

ORDER

This criminal original petition has been filed to set aside the order dated 04.01.2023 made in Crl.M.P.No.81 of 2023 on the file of the Principal District and Sessions Judge, Ramanathapuram dismissing the application filed for modification of the condition imposed in Crl.M.P.No.3532 of 2022 on the file of the Principal District and Sessions Judge, Ramanathapuram and to direct the petitioner to appear before the Judicial Magistrate Court, Ramanathapuram for complying the condition.

2.The learned counsel appearing for the petitioner submitted that the petitioner, who was apprehending arrest at the hands of the respondent police for the offence under Sections 294(b), 324 and 506 (ii) IPC in Crime No.82 of 2022, filed an anticipatory bail petition



before the Principal District and Sessions Judge, Ramanathapuram in Crl.M.P.No.3532 of 2022 and the same was allowed on 18.10.2022 subject to condition that the petitioner should report before the respondent police daily at 10.30 am., until further orders. He further submitted that on 01.11.2022, when the petitioner appeared before the respondent police for complying the condition, the respondent police harassed the petitioner and also threatened him. Hence, the petitioner filed the present petition with the aforesaid prayer.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl.side) appearing for the respondent.

4.Taking into consideration the facts and circumstances, the condition imposed by the Principal District and Sessions Judge, Ramanathapuram is hereby modified and the petitioner is directed to appear before the Judicial Magistrate No.I, Ramanathapuram until further orders. Accordingly, this criminal original petition is allowed.

sd/-

09/03/2023

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/03/2023

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

gns

To

- 1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, RAMANATHAPURAM.
- 2 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 4 THE INSPECTOR OF POLICE, KADALADI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.BALA KUMAR D Advocate SR.No.14390[F]

ORDER IN

CRL OP(MD) No.4014 of 2023

Date :09/03/2023

RS/SBN/SAR-4(17.03.2023) 2P 7C