



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 10.04.2023

CORAM

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The Hon`ble Mr.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD)No.6520 of 2023

John Wilzon @ Eze Fidelis Ndubuisi ... Petitioner/Petitioner

Vs

State Rep.by
The Sub-Inspector of Police,
Cyber Crime Police,
DPO, Thoothukudi,
Thoothukudi District.
Crime No.34 of 2022

... Respondent/Respondent

PRAYER:-Criminal Original Petition filed under Section 439(1)(b) of the Criminal Procedure Code, to modify the condition imposed in paragraph No.7 of the order dated 08.03.2023 made in Cr.M.P.No.4121 of 2023 passed by the Judicial Magistrate IV, Thoothukudi.

For Petitioner : Mr.B.Janarth Kumar @ Janath Ahmed
Advocate

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

ORDER

This Criminal Original Petition has been filed to modify the condition imposed in paragraph No.7 of the order dated 08.03.2023 made in Cr.M.P.No.4121 of 2023 passed by the Judicial Magistrate IV, Thoothukudi.

2.The petitioner was remanded to judicial custody for the offence punishable under Sections 419, 420 IPC r/w Section 66D IT Act. Therefore, he filed bail application to release him before the learned Judicial Magistrate No.IV, Thoothukudi. The Court below granted bail to him by imposing some conditions. One of the conditions is that he should be detained at special camp for foreigners at Trichy until further orders. To modify the said condition, the petitioner filed the present petition.



3. Heard both sides and perused the materials available on record.

4. It is seen that the petitioner is not charged for the offences punishable under provisions of Foreigners Act. That apart the petitioner is ready and willing to surrender his original passport to the credit of Cr.No.34 of 2022.

5. Considering the facts and circumstances of the case, paragraph No.7 of the order dated 08.03.2023 made in Cr.M.P. No.4121 of 2023 passed by the learned Judicial Magistrate IV, Thoothukudi is modified to the effect that the petitioner shall surrender his passport to the credit of Cr.No.34 of 2022 before the learned Judicial Magistrate IV, Thoothukudi. The other conditions imposed on the petitioner are left intact. Accordingly, this criminal original petition is allowed.

sd/-
10/04/2023

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/04/2023

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

gns

TO

1. The Judicial Magistrate IV, Thoothukudi.
2. Do through the Chief Judicial Magistrate, Thoothukudi.
3. The Sub-Inspector of Police,
Cyber Crime Police,
DPO, Thoothukudi,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.JANARTH KUMAR, Advocate (SR-5572[I] dated 10/04/2023)

ORDER

IN

CRL OP(MD) No.6520 of 2023

DATE : 10.04.2023