



CRL OP(MD) No.13342 of 2023

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

Friday, the Twenty First day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.13342 of 2023

BABU

... PETITIONER/PETITIONER

Vs

1 THE STATE REP.BY,
THE DEPUTY SUPERINTENDENT OF POLICE,
ANDIPATTI SUB DIVISION,
RAJATHANI POLICE STATION,
(IN CRIME NO.147 OF 2023)

2 GOWSALYA

... RESPONDENT/COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to modify the condition imposed on the petitioner vide clause (ii) of Paragraph No.6 in Crl.M.P.No.817 of 2023 dated 03.07.2023 viz., to stay out of the District and shall appear before the Deputy Superintendent of Police, Namakkal Town daily twice at 10.00a.m, and 5.3 pm for 30 days.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.M/S.A.BALAJI, Advocate for the petitioner and of M/S.R.SURESH KUMAR, Government Advocate(Crl.side) for the Respondent No.1, the court made the following order:-



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This petition has been filed to modify the condition imposed upon the petitioner in Crl.M.P. No.817 of 2023, dated 03.07.2023 as mentioned in the prayer.

2. The petitioner has committed the offences punishable under Sections 294(b), 323, 506(i) of PC, 4 of TNPHW Act, and Sections 3(1)(r), 3(1)(s), 3(2)(Va) and 3(1)(w) (ii) of SC/ST (PoA) Act, 1989. The condition that was imposed upon the petitioner by the Sessions Court, Theni, that the petitioner shall stay out of his district and shall appear before the Deputy Superintendent of Police, Namakkal Town, daily twice at 10.00 a.m., for 30 days.

3. Now the grievance of the petitioner is that he is an agriculturalist. The distance between the petitioner's village and Namakkal City is coming around 210 kms. Staying at Namakkal for a period of 30 days would adversely affect the petitioner's agricultural activity and the same would leads to financial loss to him. Hence, this petition has been filed seeking modification.

4. Considering the grievance that is expressed by the petitioner, the petitioner is directed to appear before the learned Judicial Magistrate No.I, Aundipatti, daily twice at 10.00 a.m., and 5.30 p.m., for 30 days.



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5. With, this petition is allowed.

sd/-
21/07/2023

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/07/2023

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

indu

TO

1.THE JUDICIAL MAGISTRATE NO.I, AUNDIPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
ANDIPATTI SUB DIVISION,
RAJATHANI POLICE STATION.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.13342 of 2023
Date :21/07/2023

RK/ BUC(28/07/2023) 3P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023