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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.16122 of 2023

1.S.Jacob Selva Rajan
2.M.Rajan
3.Anoob
4.V.Alwin Vincent

... Petitioners/ Accused Nos.2, 3, 15 & 16.

Vs.

The Sub Inspector of Police,
Karungal Police Station,
Crime No.194 of 2023 of
Karungal Police Station,
Rep. by P.P. Nagercoil.

... Respondent/Respondent

PRAYER : Criminal Original Petition is filed under Section 439(1)(b) of Cr.P.C, to modify the condition No.2 imposed by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil in Crl.M.P.No.3364 of 2023, dated 04.07.2023.

For Petitioner : Mr.M.R.Sreenivasan
For Respondent : Mr.S.Manikandan
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking to modify the condition No.2 imposed by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil in Crl.M.P.No.3364 of 2023, dated 04.07.2023.



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2.The Petitioners are the Accused Nos.2, 3, 15 & 16 in Crime No.194 of 2023 on the file of the respondent police for the offences punishable under Sections 147, 148, 447, 427, 294(b), 324, 323 and 506(ii) of IPC.

3.While granting anticipatory bail in the above said crime number, vide common order, dated 04.07.2023 in CrI.M.P.(MD).Nos.3428 & 3364 of 2023, the trial Court imposed condition upon the petitioners that they shall appear and sign before the learned Judicial Magistrate, Thenkasi, daily twice at 10.30 a.m. and 05.00 p.m., until further orders as condition No.2.

4.Citing various reasons, this petition has been filed seeking modification of the above said condition.

5.Earlier, this Court directed the Petitioners/Accused Nos.2, 3, 15 & 16, to file an undertaking affidavit. They have also filed undertaking affidavits respectively, to the effect that they will not make any trouble to the defacto complainant and abide by the judicial Order.



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6. In view of the above said undertaking affidavits, this Criminal Original Petition is allowed and the condition No.2 imposed by the trial Court is modified to the effect that the Petitioners/Accused Nos.2, 3, 15 & 16, shall appear before the respondent police daily at 10.30 a.m., until further orders.

sd/-
05/09/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

TO

- 1 THE PRINCIPAL SESSIONS JUDGE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 2 THE JUDICIAL MAGISTRATE,
THENKASI.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 4 THE JUDICIAL MAGISTRATE,
ERANIEL.
- 5 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI DISTRICT AT NAGERCOIL.
- 6 THE SUB INSPECTOR OF POLICE
KARUNGAL POLICE STATION,
CRIME NO.194/2023 OF KARUNGAL POLICE STATION,
REF BY PP NAGERCOIL.



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

+1. CC to M/S.SREENIVASAN M R Advocate SR.No.41673

ORDER
IN
CRL OP(MD) No.16122 of 2023
Date :05/09/2023

SS/VR/14/09/2023/4P/9C

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