



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.13811 of 2024

1.Vijayaragavan
2.Selvan

..Petitioners

Vs.

State Rep by
The Sub-Inspector of Police
Omalur Police Station, Salem District
Cr.NO.780 of 2024

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order dated 29.04.2024 made in Crl.MP.No.1062 of 2024 on the file of the Principal Sessions Judge, Salem and relax the condition that the petitioners shall appear before the learned Judicial Magistrate, Omalur daily at 10.00 a.m., except holiday until further orders (for a minimum period of 30 days) imposed on the petitioner in Crl.MP.No.135 of 2024 dated 11.01.2024 by the Principal Sessions Judge, Salem in Cr.No.780 of 2023 on the file of the Sub-Inspector of Police, Omalur Police Station, Salem District.



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For Petitioners : Mr.R.Lokeshwaran

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

The petitioners herein is one of the accused in Cr.No.780 of 2023 who was granted anticipatory bail by the Principal Sessions Judge on 11.01.2024 on condition that he should report before the Judicial Magistrate, Omalur, except holidays until further orders (for a minimum period of 30 days)and on further conditions.

2. The petitioner started complying the conditions of reporting before the Judicial Magistrate on 23.01.2024. Out of 52 days, he sought for relaxation of the condition on the ground that he being a coolie worker, he is unable to comply the condition daily and further since the substantial part of investigation is completed, his presence to appear daily is not required. Also he has stated that due to ill-health, he was not able to sign for 9 days in between and had furnished medical report to that effect. Since he failed to appear and comply the bail condition, warrant been issued and later re-called on surrender of the petitioner. So,



regarding the fact that the petitioner has not regularly complying the condition, the court has declined to relax the bail condition imposed.

3. The present petition is filed stating that non-appearance for 9 days is duly explained with supporting medical report. However, the court has refused to take note of it while considering the petition to relax the bail condition.

4. Even the learned Government Advocate (Crl.Side), on instructions, states that after the dismissal of the petition to relax the bail condition vide order dated 29.04.2024, the petitioner herein is regularly appearing before Judicial Magistrate, Omalur, till date.

5. Taking note of the subsequent conduct and event, the bail condition imposed on 11.01.2024 while granting anticipatory bail is to be relaxed to the effect that the petitioners shall appear and report before the Judicial Magistrate, Omalur, on first and third Monday of every month until further orders.



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Dr.G.JAYACHANDRAN,J.

gv

6. With this direction, this Criminal Original Petition is allowed.

14.06.2024

Index : Yes/No

Neutral Citation : Yes/No

gv

To

1. The Principal Sessions Judge, Salem .
2. The Judicial Magistrate, Omalur
3. The Principal Sessions Judge, Salem
4. The Sub-Inspector of Police, Omalur Police Station, Salem District.
5. The Sub-Inspector of Police
Omalur Police Station, Salem District
Cr.No.780 of 2024
6. The Public Prosecutor,
High Court of Madras, Chennai.

Crl.O.P.No.13811 of 2024