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CRL O.P. No.19578 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.08.2024

CORAM

The Hon'ble Mr.Justice P.DHANABAL

CRL OP.No.19578 of 2024

1. Raja S/o. Sengottaiyan
2. Saraswathi W/o. Sengottaiyan
3. Siva S/o. Sengottaiyan

... Petitioners/ Accused

Vs

State rep. by:-

The Inspector of Police,
Tharamangalam Police Station,
Salem District.
[Cr. No.118 of 2024]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483(2) of The Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order passed in C.M.P. No.1609 of 2024 dated 15.06.2024 on the file of Principal Sessions Judge, Salem and to relax the condition imposed on the petitioner in C.M.P. No.1053 of 2024 dated 17.04.2024 passed by the Principal Sessions Judge, Salem.

For Petitioners : Mr. T. Ganesan

For Respondent : Mr. S. Santhosh

Government Advocate

[Criminal side]



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ORDER

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This petition has been filed seeking to set aside the dismissal order passed in C.M.P. No.1609 of 2024 dated 15.06.2024 on the file of Principal Sessions Judge, Salem and to relax the condition imposed on the petitioners in C.M.P. No.1053 of 2024 dated 17.04.2024 passed by the Principal Sessions Judge, Salem.

2. The petitioners were granted anticipatory bail vide order dated 17.04.2024 passed in C.M.P. No.1053 of 2024 by the learned Principal Sessions Judge, Salem. Subsequently the condition relaxation petition was filed by the petitioners and the same was dismissed on 15.06.2024, due to non-compliance of the condition by the petitioners. Hence this petition is filed before this Court.

3. The learned counsel appearing for the petitioners would contend that the petitioners had been complied with the condition imposed on them for more than 3 months and they find difficult to go to work and hence the condition may be relaxed.



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4. The learned Government Advocate (Criminal side) would submit that the petitioners have complied with the condition and investigation was completed.

5. Considering the submissions put forth on either side, considering the fact that the petitioners have complied with the condition, considering the nature of offences and considering the fact that the investigation was completed, I am inclined to relax the condition in toto.

6. Accordingly, the condition is **relaxed in toto**.

20.08.2024

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
mjs



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P.DHANABAL,J

mjs

To

- 1.The Principal Sessions Judge, Salem.
2. The Judicial Magistrate, Omalur, Salem.
- 3.The Inspector of Police,
Tharamangalam Police Station, Salem.
- 4.The Public Prosecutor, High Court, Madras.

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