



WEB COPY



CRL O.P. No.21630 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.09.2024

CORAM

The Hon'ble Mr.Justice P.DHANABAL

CRL OP.No.21630 of 2024

Dinesh S/o. Raghuraman ... Petitioner / Accused
Vs

State rep. by:-

The Inspector of Police,
Otteri Police Station,
Tambaram City. ... Respondent
[Cr. No.40 of 2024]

PRAYER: - The Criminal Original Petition is filed under Section 483(1)(b) of The Bharatiya Nagarik Suraksha Sanhita, 2023, praying to modify the condition imposed in the order dated 13.06.2024 in CrI. M.P. No.1754 of 2024 passed by the Judicial Magistrate No.II, Chengalpattu.

For Petitioners : Mr. M. Vijaya Ragavan

For Respondent : Mr. S. Santhosh
Government Advocate
[Criminal side]

ORDER



CRL O.P. No.21630 of 2024

This petition has been filed seeking to modify the condition imposed in the order dated 13.06.2024 in CrI. M.P. No.1754 of 2024 passed by the Judicial Magistrate No.II, Chengalpattu.

2. The petitioner was granted bail vide order dated 13.06.2024 passed in C.M.P. No.1754 of 2024 by the learned Judicial Magistrate No.II, Chengalpattu on the condition that the *petitioner shall make himself available for interrogation by a police office as and when required*. The learned counsel appearing for the petitioner has filed this petition to modify the said condition by stating that there is a life threat from rival parties.

3. The learned Government Advocate (Criminal side) would submit that the petitioner was granted bail by default under Section 167(2) of Cr.P.C. as the final report was not filed by the respondent police, despite lapse of 91 days and now charge sheet was filed after completion of investigation.

4. Considering the submissions putforth on either side,



CRL O.P. No.21630 of 2024

considering the representation made by the learned counsel appearing for the petitioner that there is life threat to the petitioner while complying with condition before the respondent police and considering the fact that the investigation was completed, I am inclined to modify the condition to the effect that ***"the petitioner shall appear before the jurisdictional Magistrate Court on every Monday for a period of 4 weeks"***. The other conditions imposed in the order dated 13.06.2024 in Crl. M.P. No.1754 of 2024 shall remain unaltered.

5. Accordingly, the condition is **modified**.

10.09.2024

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

To

1.The Judicial Magistrate No.II, Chengalpattu

2. The Inspector of Police,
Otteri Police Station,
Tambaram City.

3.The Public Prosecutor, High Court, Madras.

P.DHANABAL,J
mjs

3/4



WEB COPY



CRL O.P. No.21630 of 2024

CRL. O.P. No.21630 of 2024

10.09.2024