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CrI.O.P.No.21975 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.21975 of 2024

Lenin

... Petitioner

Vs.

The Inspector of Police,
Voimedu Police Station,
Nagapattinam District.
Crime No.193 of 2017

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C./ 528 BNSS, 2023, pleaded to set aside the order in CrI.M.P.No.2067 of 2024 in S.S.C.No.04 of 2019 dated 19.08.2024 and relax the conditions or modify the conditions imposed in para (a) by the District and Sessions Judge, Nagapattinam in CrI.M.P.No.1693 of 2023 dated 21.06.2023.

For Petitioner : Mr.G.Nirmal Krishnan

For Respondents : Mr.S.Udayakumar
Government Advocate (CrI.Side)

ORDER

The application for relaxation to the bail condition dismissed by the District and Sessions Judge, Nagapattinam on the ground that if the condition is relaxed, there are chance for absconding and causing problems to the defacto complainant and his family.



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2. The learned counsel appearing for the petitioner submits that for the past 13 months, the petitioner is regularly complied the condition by reporting before the respondent police daily except Monday and also appeared before the Court during the hearing dates. There is no reason to apprehend that he will abscond or threaten the defacto complainant.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the petitioner is having two previous cases. Pending those cases, he has committed the offence of this case and the absconded for quite some time. Therefore, to ensure his presence during trial, the condition has been imposed.

4. Taking note of the fact that the case is ripe for trial and for the past 13 months, the petitioner been regularly complied the condition, this Court is of the view that the condition may be partially modified. Accordingly, this ***Criminal Original Petition is allowed*** by relaxing the condition and direct the petitioner herein shall report before the Investigating Officer once in a week on every Tuesday at 10.30 a.m., until further orders and he shall appear before the trial Court in all hearing dates without any fail.



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Index : Yes/No

Neutral Citation : Yes/No

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To

1.The District and Sessions Judge, Nagapattinam

2.The Inspector of Police,
Voimedu Police Station,
Nagapattinam District.

3.The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.

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