



Crl.O.P.No.26632 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:25.10.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.26632 of 2024

1.Chinnamariyappan
2.Dinesh
3.Sathish

.. Petitioners

/versus/

The State represented by
The Inspector of Police,
Magudamchavadi Police Station,
Salem District.
(Crime No.217 of 2024)

.. Respondent

Criminal Original Petition has been filed under Section 528 of BNSS, to set aside the order passed by the Principal Sessions Judge, Salem dated 01.10.2024 in Crl.M.P.No.2561 of 2024 and relax the condition to appear and sign before the respondent/police daily twice at 10.00 a.m., and 05.00 p.m., (for a minimum period of 30 days).

For Petitioners	:Mr.A.Rahul
For Respondent	:Mr.K.M.D.Muhilan Govt.Advocate (crl.side)



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ORDER

The petitioners herein are the accused in Crime No.217 of 2024 registered for the offences under Sections 191(2), 296(b), 115(2), 118(1), 351(3) of BNS, 2023. When they moved to the Principal Sessions Court for anticipatory bail, the Principal Sessions Judge, Salem, vide order dated 20.08.2024 granted anticipatory bail on condition. One of the conditions was to appear before the respondent police daily twice at 10.00 a.m and 05.00p.m., until further orders (for a minimum period of 30 days).

2. The petitioners herein filed a petition to relax the said condition stating that they had meticulously complied the condition to report before the respondent police for 30 days daily twice at 10.00 a.m and 05.00 p.m. Since they are the daily wages, reporting before the respondent police twice in a day cause hardship to their livelihood. The Principal Sessions Judge, on verifying the records found that the petitioners were not complying the condition and they were frequently abstain themselves from reporting before the Magistrate and therefore, declined to entertain the plea of relaxing the condition. Hence, the present



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petition is filed to set aside the above condition of the Principal Sessions Judge, dated 01.10.2024.

3. The learned Government Advocate (Crl.Side) from the records states that the petitioners failed to report before the respondent police from 02.09.2024 to 09.09.2024; from 28.09.2024 to 03.10.2024 and from 13.10.2024 to 16.10.2024. From 17.10.2024, they were regularly reporting before the respondent police twice a day. He also states that the investigation is completed and final report filed through e-portal on 01.10.2024.

4. Considering the change in circumstances, this Court is of the view that the appearance of the petitioners before the Investigating Officer is no more required. Hence, the anticipatory bail condition is modified to the effect that they shall report before the Judicial Magistrate No.II, Sankagiri once in a week (i.e) on every Monday at 10.30 a.m, until further orders.



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5. Accordingly, this Criminal Original Petition is disposed of.

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Index:yes/no
Internet:yes/no
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To:

- 1.The Principal Sessions Judge, Salem.
- 2.The Inspector of Police, Magudamchavadi Police Station,
Salem District.
- 3.The Public Prosecutor, High Court, Madras.

Dr.G.JAYACHANDRAN,J.



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