



Crl.O.P.No.28813 of 2023

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C.V.KARTHIKEYAN, J.

After hearing the learned counsel had advanced arguments quite some considerable time and when the Court about to pass orders, permission was sought to withdraw the Petition and he has also made an endorsement to that effect as follows:-

“may be permit to withdraw this petition.”

2. In view of the endorsement made by the learned counsel for the petitioner, this Criminal Original Petition is dismissed as withdrawn.

3. However, notice is drawn to the anticipatory bail granted to the accused Nos. 1 and 4 in the same Crime number in Cr.No. 460 of 2023 by the learned Sessions Judge at Udhagamandalam. The anticipatory bail had been granted to the first accused in Crl.M.P.No. 1242 of 2023 and the anticipatory bail had been granted to the fourth accused in Crl.M.P.No. 1232 of 2023. Both orders are dated 20.12.2023. The learned Sessions Judge had giving the following conditions in paragraph No.6 which is similar in both the orders and they are extracted below:-



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“6. Considering the above said circumstances, though I am not inclined to grant pre-arrest order, the following directions are issued:-

i) The petitioner/accused No.1 s hall surrender before the investigation officer in Cr.No. 460 of 2023 tomorrow on 21.12.2023.

ii) On her surrender, the Investigation Officer shall take the petitioner into custody and shall release the petitioner after conducting interrogation not later than 48 hours from the date of her surrender on execution of bond for Rs.1,000/- to the satisfaction of the Investigation Officer.

iii) The custody is deemed to be the custody under Section 167(2) of Cr.P.C.,

iv) Thereafter, the petitioner shall surrender before the learned Judicial Magistrate, Gudalur within 15 days there from, be enlarged on bail on her executing bond for Rs.10,000/- with two



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sureties for like sum each to the satisfaction of the above said Magistrate with condition that the petitioner/accused should appear and sign before the Judicial Magistrate Court, Gudalur, daily at 10.30 a.m., until further orders.”

4. Registry may call for explanation from the Sessions Judge at Udthagamandalam, about the condition in 6(ii) and 6(iii) as this Court is not able to understand the purport or the reason behind the same or even the meaning behind the same.

5. List the matter on 19.02.2024 'for putting up the explanation'.

02.02.2024

vsg

Note to Registry.

Call for explanation from Sessions Judge at Udthagamandalam.

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