



Crl.O.P.(MD)No.2315 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

DATED: 14.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.2315 of 2024

Sathya Moorthy

... Petitioner/Petitioner/ Accused No.1

Vs

The Inspector of Police,
Murappanadu Town Police Station,
Thoothukudi District.
(In Crime No.244 of 2023)

... Respondent/Respondent/ Complainant

Prayer:Criminal Original Petition filed under Section 439(1)(B) of Cr.P.C. to set aside relax the condition order passed in Crl.MP.No.523 of 2024 dated 02.02.2024 on the file of the Principal District and Sessions Court, Thoothukudi.

For Petitioner : Mr.B.Arun

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl. Side)

ORDER

This petition has been filed to set aside the order passed in Crl.MP.No.523 of 2024 dated 02.02.2024 on the file of the Principal District and Sessions Court, Thoothukudi.



Crl.O.P.(MD)No.2315 of 2024

WEB COPY

2.The petitioner was implicating for the offence under Sections 147, 294(b), 323, 506(1) of IPC and Section 4 of TNPHW Act, in Crime No.244 of 2023. He filed anticipatory bail petition in Cr.MP.No.80 of 2023 before the learned Principal Sessions Judge, Thoothukudi. The learned Sessions Judge granted anticipatory bail to the petitioner with a condition to appear before the respondent police daily at 10.00 a.m, for a period of one month. Thereafter, the petitioner filed a relaxation petition in Crl.MP.No.523 of 2024 and the same was dismissed on the ground that the petitioner has complied with the condition only for a period of 10 days. Hence, the petitioner filed this petition with the above said prayer.

3. The learned counsel appearing for the petitioner would submit that the offences made against the petitioner are 294(b), 323 and 506(1) of IPC. It is not a heious offences. Hence, this Court may set aside the order passed by the learned Sessions Judged dated 02.02.2024 by allowing this petition.

4.The learned Government Advocate (Crl.Side) has no serious objection to allow this petition.

5.Taking into consideration of the submissions made by the learned counsel for the petitioner, the order passed by the learned Principal Sessions Judge, Thoothukudi, in Crl.MP.No.625 of 2024, dated 02.02.2024, is set aside and the condition imposed by the learned Principal Sessions Judge, Thoothukudi, in



Crl.O.P.(MD)No.2315 of 2024

WEB COPY

Cr.MP.No.80 of 2023 dated 10.01.2024 is modified to the effect that the petitioner is directed to appear before the respondent police as and when required for interrogation. The other conditions shall remain unaltered.

6.Accordingly, this Criminal Original Petition is allowed.

sd/-
14/02/2024

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

1.The Principal Sessions Judge,
Thoothukudi.

2.The Inspector of Police,
Murappanadu Town Police Station,
Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/s.B.ARUN, Advocate, SR.No.4868(F), dated 14.02.2024

ORDER
IN
CRL OP(MD) No.2315 of 2024
Date :14/02/2024



Crl.O.P.(MD)No.2315 of 2024

ED/ GS/SAR- (20/02/2024) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023