



Crl.O.P.(MD) No.2733 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.2733 of 2024

1.Jainulauddin

2.Waheeda Banu

3.Shahana

... Petitioners/ Accused 2 to 4

Vs.

The Inspector of Police,
All Woman Police Station,
Thallakulam,
(AWPS, Anna Nagar)
Madurai District.
Crime No.5 of 2024

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439(i)(b) r/w 482 of Cr.P.C., to modify the 2nd condition to appear before the Town All Woman Police Station, Madurai City instead of report before the respondent police daily at 10.30 a.m., for the period of 30 days in Crl.M.P.No.423 of 2024, dated 02.02.2024 on the file of the learned Principal Sessions Judge, Madurai.

For petitioners : Mr.C.BETHANASAMY, Advocate

For Respondent : Mr.P.KOTTAICHAMY
Government Advocate (Crl. side)

ORDER

This petition has been filed seeking to modify the 2nd condition to appear before the Town All Woman Police Station, Madurai City instead of report before the



Crl.O.P.(MD) No.2733 of 2024

WEB COPY

respondent police daily at 10.30 a.m., for the period of 30 days in Crl.M.P.No.423 of 2024, dated 02.02.2024 on the file of the learned Principal Sessions Judge, Madurai.

2.The learned counsel appearing for the petitioners would submit that the petitioners were arrayed as A2 to A4 in Cr.No.5 of 2024 for the offence punishable under Sections 417, 420 and 506(ii) of IPC. Therefore, the petitioners filed an application for anticipatory bail before the learned Principal Sessions Judge, Madurai, in Crl.M.P.No.423 of 2024 and the same was allowed on 02.02.2024 and directed the petitioners to appear before the Inspector of Police, respondent police station daily at 10.00 a.m., for a period of 30 days. He would further submit that the petitioners are residing in Villapuram and the first and second petitioners are senior citizens and suffering from age old ailments and the third petitioner recently delivered a baby. Thereby, they are not in a position to appear before the respondent police for the period of 30 days. Therefore, he prayed to modify the condition imposed by the Court below.

3.The learned Government Advocate(Crl.side) appearing for the respondent police has no serious objection to modify the condition imposed by the Court below.

4.Considering the facts and circumstances of the case and considering the reasons assigned in the affidavit filed in support of this petition, this Court is inclined to modify the condition imposed by the Court below. Accordingly, the condition No



Crl.O.P.(MD) No.2733 of 2024

(ii) imposed by the Court below in Cr.M.P.No.423 of 2024 dated 02.02.2024, is hereby modified to the effect that “the petitioners shall appear before the Town All Woman Police Station, Madurai City, daily at 10.00 a.m., for a period of 30 days.” All other conditions in the said order dated 02.02.2024 shall remain unaltered.

5.In the result, this Criminal Original Petition is allowed.

sd/-
21/02/2024

/ TRUE COPY /

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

SJI
TO
1 THE PRINCIPAL SESSIONS JUDGE,
MADURAI.

2 THE INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION,
THALLAKULAM,
(AWPS, ANNA NAGAR)
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
TOWN ALL WOMAN POLICE STATION, MADURAI CITY,
MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

<https://www.hmc.tn.gov.in/judis>



Crl.O.P.(MD) No.2733 of 2024

WEB COPY +1. CC to M/S.BETHANASAMY.C Advocate SR.No.6961 (F) DT.23/02/2024

ORDER
IN
CRL OP(MD) No.2733 of 2024
Date :21/02/2024

SA/GS/SAR. /27.02.2024/4P/C

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