



Crl.O.P.(MD) No.3626 of 2024

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

DATED: 07.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.3626 of 2024

1.S.Chinnadurai

2.C.Sujinraja

... Petitioners/ Accused No.1 & 2

Vs.

The State by
The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli.

Crime No.29 of 2024

... Respondent / Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439(1)(b) of Cr.P.C., to modify the condition imposed in order dated 22.02.2024 passed by the learned Principal Sessions Judge, Tirunelveli in Criminal Miscellaneous Petition No.2037 of 2024 and set aside the same in respect of condition that 'the petitioners shall stay at Rameshwaram, report and sign before the Rameshwaram Temple Police Station, daily twice at 10.00 a.m., and pay a sum of Rs.2,000/- in total before the District Legal Service Authority, Tirunelveli for depositing money alone' until further orders.

For Petitioners : Mr.Manojkumar, Advocate
for M/s.K.Amirtha, Advocate

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



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ORDER

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This petition has been filed seeking to modify the condition imposed in order dated 22.02.2024 passed by the learned Principal Sessions Judge, Tirunelveli in Criminal Miscellaneous Petition No.2037 of 2024 and set aside the same in respect of condition that 'the petitioners shall stay at Rameshwaram, report and sign before the Rameshwaram Temple Police Station, daily twice at 10.00 a.m., and pay a sum of Rs.2,000/- in total before the District Legal Service Authority, Tirunelveli for depositing money alone' until further orders.

2.The learned counsel for the the petitioners would submit that the petitioner are arrayed as A1 and A2 in Cr.No.29 of 2024, which was registered for the offence punishable under Sections 294(b), 353 and 506(ii) of IPC. Therefore, the petitioners filed an application for anticipatory bail before the learned Principal Sessions Judge in Crl.M.P.No.2037 of 2024 and the learned Sessions Judge by its order dated 22.02.2024 granted anticipatory bail on condition that the petitioners should stay at Rameshwaram, report and sign before the Rameshwaram Temple Police Station, daily twice at 10.00 a.m., and pay a sum of Rs.2,000/- in total before the District Legal Service Authority, Tirunelveli for depositing money alone. He would further submit that the petitioners have to travel more than 280 kms from their residence to Rameshwaram and due to financial crisis, they are not able to comply with the said



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condition imposed by the trial Court. Therefore, he prayed to modify the condition imposed by the Court below.

3.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the Court below, after considering all aspects, rightly imposed the condition, which does not warrant any interference by this Court.

4.Considering the facts and circumstances of the case, this Court is inclined to modify the condition imposed by the Court below. Accordingly, the condition No (c) imposed by the Court below in Crl.M.P.No.2037 of 2024 dated 22.02.2024 is hereby modified to the effect that “the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders and also on condition that the petitioners have to pay a sum of Rs.2,000/- in total before the District Legal Service Authority, Tirunelveli”. All other conditions in the said order dated 22.02.2024 shall remain unaltered.

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

sd/-
07/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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To

- 1.The Principal Sessions Judge,
Tirunelveli.
- 2.The Judicial Magistrate No.IV,
Tirunelveli.
- 3.Do through the Chief Judicial Magistrate,
Tirunelveli District.
- 4.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

- 1.The Inspector of Police,
Rameshwaram Temple Police Station,
Rameshwaram District.
- 2.The Officer Incharge,
District Legal Service Authority,
Tirunelveli.

+1 CC to M/s.K.AMIRTHA, Advocate (SR-2930[I] dated 08/03/2024)

ORDER
IN

CRL OP(MD) No.3626 of 2024

Date :07/03/2024



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ED/ GS /SAR- (15/03/2024) 5P / 9C

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