



Crl.O.P.(MD) No.4909 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.03.2024

CORAM:
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.4909 of 2024

1.V.Vijesh
2.Geo Sujitha
3.M.V.Marceline
4.Maria Rajam
5.Sujin

... Petitioners/ Accused No.A1 to A5

Vs.

The State rep. by
The Sub-Inspector of Police,
Eraniel Police Station,
Kanniyakumari District.
Crime No.79 of 2024

... Respondent/ Complainant

PRAYER: Criminal Original Petition is filed under Section 439(1)(b) r/w 482 of Cr.P.C., to modify the condition imposed upon the petitioners in Crl.M.P.No.1532 of 2024, dated 15.03.2024 on the file of the learned Principal Sessions Judge, Kanniyakumari District at Nagercoil.

For Petitioners : Mr.D.Senthilkumar

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

ORDER

This petition has been filed seeking to modify the condition imposed upon the petitioners in Crl.M.P.No.1532 of 2024, dated 15.03.2024 on the file of the learned Principal Sessions Judge, Kanniyakumari District at Nagercoil.



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2.The learned counsel for the the petitioners would submit that the petitioners are arrayed as A1 to A6 in Cr.No.79 of 2024, which was registered for the offence punishable under Sections 147, 148, 448, 294(b), 354 and 506(ii) of IPC. Therefore, the petitioners filed an application for anticipatory bail before the learned Principal Sessions Judge, Kanniyakumari District at Nagercoil in Crl.M.P.No.1532 of 2024 and the learned Sessions Judge by its order dated 15.03.2024 granted anticipatory bail on condition that the petitioners 1, 2 and 5 should stay at Tiruchirappalli and appear before the learned Judicial Magistrate No.I, Tiruchirappalli daily twice at 10.30 a.m., and 05.00 p.m., until further order and further directed the petitioners 3 and 4 should appear before the learned Judicial Magistrate No.I, Tirunelveli daily at 10.30 a.m and 05.00 p.m., until further orders. He would further submit that the petitioners are residing in Kanniyakumari and they are not able to travel from Kanniyakumari to Trichy and Tirunelveli. 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.



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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.2 imposed by the Court below in Crl.M.P.No.1532 of 2024 dated 15.03.2024 is hereby modified to the effect that “the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders”. All other conditions in the said order dated 15.03.2024 shall remain unaltered.

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

sd/-
28/03/2024

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/04/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
To

1.THE PRINCIPAL SESSIONS JUDGE,
KANNIYAKUMARI DISTRICT AT NAGERCOIL.

2.THE JUDICIAL MAGISTRATE NO.I, TIRUCHIRAPPALLI

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.



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4. THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI

5 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

6.THE SUB-INSPECTOR OF POLICE,
ERANIEL POLICE STATION, KANNIYAKUMARI DISTRICT.

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

+1. CC to G.ARAVINTHAN Advocate SR.No.16721(f) dated 28.03.2024

ORDER
IN

CRL OP(MD) No.4909 of 2024

Date :28/03/2024

RK/VR(10/04/2024) 4P / 9C

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