



Crl.O.P.(MD) No.20701 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.20701 of 2023

Sundarraaj

... Petitioner/Petitioner/Sole Accused
Vs.

State represented by
The Inspector of Police,
Amathur Police Station,
Virudhunagar District.
Crime No.131 of 2023.

... Respondent /Respondent

PRAYER : Criminal Original Petition filed under Section 439(1)(b) of the Code of Criminal Procedure, to set aside the order passed in Crl.M.P.No.5676 of 2023, dated 03.11.2023 on the file of the Principal District and Sessions Court, Srivilliputhur.

For Petitioner

: Mr.S.Vikraman, Advocate

For Respondent

: Mr.SS.Madhavan,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to set aside the order passed in Crl.M.P.No.5676 of 2023, dated 03.11.2023 on the file of the Principal District and Sessions Court, Srivilliputhur.



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2.The learned counsel appearing for the petitioner would submit that the petitioner was released on bail by the concerned Court by the order, dated 10.08.2023, on condition to appear before the learned Judicial Magistrate No.I, Thirumangalam daily at 10.00 a.m., until further orders. Thereafter, the Aggrieved over the said condition imposed by the concerned trial Court, relaxation petition filed by the petitioner was allowed and subsequent relaxation petition was dismissed on 03.11.2023 in Crl.M.P.No.5676 of 2023. Challenging the condition imposed in the relaxation petition, this petition has been filed to set aside the same.

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 set aside the order passed in Crl.M.P.No.5676 of 2023, dated 03.11.2023 and to modify the condition imposed by the Court below. Accordingly, the condition No. (ii) imposed by the Court below in Crl.M.P.No.4021 of 2023 dated 10.08.2023 is hereby modified to the effect that *“(i) the petitioner is directed to appear and sign before the respondent Police as and when required for interrogation”* All other conditions in the said order, dated 10.08.2023 shall remain unaltered.



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

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

INDU
TO

1 THE INSPECTOR OF POLICE
AMATHUR POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+ 1 CC TO Mr.N.BALASUBRAMANIAN, ADVOCATE IN SR No. 888(F) dated
09/01/2024

ORDER
IN

CRL OP(MD) No.20701 of 2023
Date :08/01/2024

SS/DD/SAR- /24/01/2024/3P/4C

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