



Crl.O.P.(MD)No.364 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.364 of 2024

C.Kubendran @ Aathimoolam

... Petitioner/Petitioner

Vs.

The Inspector of Police,
Chinnamanur Police Station,
Theni District.
In Crime No.342 of 2023

... Respondent/Respondent

PRAYER : Criminal Original Petition filed under Section 439(1)(b) r/w 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned order dated 08.11.2023 passed by the learned Principal Sessions Judge, Theni in Cr.M.P.No.3986 of 2023 and set aside the same and totally relax the condition.

For Petitioner : Mr.A.Thirumurugan, Advocate

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

ORDER

This Criminal Original Petition has been filed to set aside the order passed in Cr.M.P.No.3986 of 2023 dated 08.11.2023 by the learned Principal Sessions Judge, Theni and consequently, totally relax the condition imposed on the petitioner.



Crl.O.P.(MD)No.364 of 2024

2.The learned counsel appearing for the petitioner would submit that the petitioner is an accused in Cr.No.342 of 2023, which was registered for the offence punishable under Sections 341, 147, 148, 294(b), 323, 324, 307 and 109 IPC and thereafter, he was arrested by the law enforcing agency. Hence, he filed a bail petition before the Court below in Cr.M.P.No.3405 of 2023 and the same was allowed on 27.09.2023 on condition that the petitioner should stay at Dindigul and sign before the Inspector of Police, Dindigul Town Police Station, Dindigul District daily at 10.30 am., and 05.00 pm., until further orders. He would further submit that the petitioner filed relaxation petition before the learned Principal Sessions Judge, Theni in Crl.M.P.No.3986 of 2023 and the learned Judge modified the condition that the petitioner should respondent police once in a month ie., on first Sunday of every month at 10.30 am., until further orders. He would also submit that the petitioner herein is an employee of TNSSTC and hence, he is unable to comply with the condition. That apart, due to the condition, the employer has not given job to the petitioner and they seeks total relaxation of the condition. The petitioner is the bread-winners of his family and hence, he would pray to relax the condition.

3.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the Court below, after considering all aspects, correctly



Crl.O.P.(MD)No.364 of 2024

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 and considering the fact that the petitioner is an employees in TNSTC, the condition imposed by the Court below is fully relaxed and the petitioner shall report before the respondent police as and when required. Accordingly, this criminal original petition is allowed.

sd/-
10/01/2024

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/01/2024

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

gns

To

1.The Principal Sessions Judge, Theni.

2.The Inspector of Police,
Chinnamanur Police Station, Theni District.

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

Copy to

The Inspector of Police,
Dindigul Town Police Station, Dindigul District.

ORDER IN
CRL OP(MD) No.364 of 2024
Date :10/01/2024

RK/DD(22/01/2024) 3P / 5C

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