



CrI.O.P.No. 5079 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No. 5079 of 2025

1.Mageshwari
2.Babyshalini @ Shalini
3.Janani

..... Petitioners

Vs

The State by
The Inspector of Police
Yercaud Police Station,
Salem District.
Cr.No.214 Of 2024

..... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records and set aside the order dated 10.01.2025 made in CrI.M.P.No.89 of 2025 in CrI.M.P.No.2955 of 2024 in Crime No.214 of 2024 on the file of Principal Sessions Judge, Salem and consequently relax the condition imposed in CrI.M.P.No.2955 of 2024 dated 12.11.2024.

For Petitioner : Mr.A.Saranraj

For Respondent : Mr.A.Gopinath
Government Advocate (CrI.Side)



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ORDER

This Criminal Original Petition has been filed to set aside

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the order dated 10.01.2025 passed in Crl.M.P.No.89 of 2025 in Crl.M.P.No.2955 of 2024 by the Principal Sessions Judge, Salem, thereby imposed condition to appear and sign before the learned District Munsif-cum-Judicial Magistrate, Yercaud, daily at 10.00 am, except holidays, until further orders (for a minimum period of 30 days) and thereafter as and when required for interrogation.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner was arrested in connection with Crime No.214 of 2024 for the offences under Sections 126(2), 296(b), 1152(2), 74 and 351(3) of Bharatiya Nyaya Sanhita, 2023 and was remanded to judicial custody. Subsequently, the petitioner filed a bail petition in Crl.M.P.No.2955 of 2024 before the Principal Sessions Judge, Salem and was granted bail subject to the condition that he shall appear and sign before the learned District Munsif-cum-Judicial Magistrate, Yercaud, daily at 10.00 am., for a period of 30 days and thereafter, as and when



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required for interrogation. Thereafter, the petitioner filed a relaxation petition in CrI.M.P.No.89 of 2025 in CrI.M.P.No.2955 of 2024 seeking relaxation of the said condition. However, the said petition was dismissed, by an order dated 10.01.2025, on the ground that the petitioner has not complied with the condition regularly. Challenging the same, the present petition has been filed.

4. Considering the submissions made on either side, the order passed in CrI.M.P.No.89 of 2025 in CrI.M.P.No.2955 of 2024 is hereby set aside. Accordingly, the condition imposed on the petitioner to appear and sign before the learned District Munsif-cum-Judicial Magistrate, Yercaud, daily at 10.00 am, except holidays, until further orders is relaxed. However, the petitioner shall appear before the respondent police as and when required for interrogation.

5. With the above directions, this Criminal Original Petition is allowed.

25.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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- To
- 1.The District Munsif-cum-Judicial Magistrate,
Yercaud.
 2. The Principal Sessions Judge,
Salem.
 - 3.The Inspector of Police
Yercaud Police Station,
Salem District.
 - 4.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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