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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM:

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

Crl.O.P.No. 11597 of 2025

Boominathan ..... Petitioner

Vs

State Rep by
Inspector of Police,
Guduvancherry Police Station,
Crime No.412 of 2024 ..... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Crl.M.P.No.882 of 2025 in Crl.M.P.No.500 of 2025 on the file of the Principal District and Sessions Judge at Chengalpattu dated 26.03.2025 and setting aside the impugned order and modify the condition No.3 in Crl.M.P.No.500 of 2025 dated 05.03.2025 imposed therein by directing the petitioner to report before any other police station, excluding the respondent police station.

For Petitioner : Mr.E.Giri Rajan

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

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ORDER

This Criminal Original Petition has been filed to set aside the order dated 26.03.2025 in Crl.M.P.No.882 of 2025 in Crl.M.P.no.500 of 2025 passed by the Principal District and Sessions Judge, Chengalpattu, thereby imposed condition to report before the respondent police Station daily at 10.30 a.m. for 30 days, 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.412 of 2024 for the offences under Sections 316(2) and 318(4) of the BNS, 2023 and was remanded to judicial custody. Subsequently, the petitioner filed a bail petition in Crl.M.P.No.500 of 2025 before the Principal District and Sessions Court, Chengalpattu and was granted bail subject to the condition that he shall appear before the respondent police daily at 10.30 a.m for a period of 30 days, and thereafter as and when required for interrogation. Thereafter, the petitioner filed a modification petition in Crl.M.P.No.882 of 2025 in Crl.M.P.No.500 of 2025 seeking

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modification of the said condition. However, the said petition was dismissed, by an order dated 26.03.2025, on the ground that it is the case of cheating and in order to evade the enquiry, the petitioner wantonly filed the petition. Challenging the same, the present petition has been filed.

4. Considering the submissions made on either side, the order passed in Crl.M.P.No.882 of 2025 in Crl.M.P.No.500 of 2025 is hereby set aside. Accordingly, the condition imposed on the petitioner is modified to the effect that the petitioner shall appear before the learned Judicial Magistrate No.II, Chengalpattu for a period of thirty days ; thereafter, as and when required.

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

21.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

1.The Principal District and Sessions Judge,
Chengalpattu.

2.The Judicial Magistrate No.II,
Chengalpattu.

3. Inspector of Police,
Guduvancherry Police Station.

4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.11597 of 2025

21.04.2025

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