



Crl.O.P.No.19199 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.19199 of 2025

Ragulraj

... Petitioner

Vs.

State rep.by
The Inspector of Police,
Tharamangalam Police Station,
Salem District,
Crime No.287 of 2025.

... Respondent

Prayer: Criminal Original Petition is filed under Section 483 BNSS, 2023 / 439 Cr.P.C., to modify the condition No.iii in C.M.P.No.1618 of 2025 on the file of the Principal Sessions Judge, Salem dated 06.06.2025 as "The petitioner shall report before the respondent Police once in a week i.e., every Sunday at 10.30 a.m., until further orders" instead of "The petitioner shall appear before the Judicial Magistrate, Omalur daily at 10.00 a.m., except holidays until further orders (for a minimum period of 30 days)" in Crime No.287 of 2025 on the file of the Inspector of Police, Tharamangalam Police Station, Salem District.

For Petitioner : Mr.B.Vasudevan
For Respondent : Dr.C.E.Pratap
Government Advocate (Crl.Side)



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ORDER

WEB COPY The Criminal Original Petition has been filed to modify the condition No.iii in Crl.M.P.No.1618 of 2025 on the file of the Principal Sessions Judge, Salem dated 06.06.2025.

2. Learned counsel for the petitioner submitted that on the complaint given by one Ramesh, the respondent-Police registered a case in Crime No.287 of 2025 for the offences punishable under Sections 296(b), 118(1) and 351(3) of BNS, 2023 against the petitioner and another. Subsequently, the petitioner filed a petition in Crl.M.P.No.1618 of 2025 on the file of the Principal Sessions Judge, Salem, seeking anticipatory bail and the same was allowed on 06.06.2025. The petitioner had duly complied with the condition No.iii i.e., "The petitioner shall appear before the Judicial Magistrate, Omalur daily at 10.00 a.m., except holidays until further orders (for a minimum period of 30 days)" of the order dated 06.06.2025 from 11.06.2025 for 3 days and thereafter, he was absent from 16.06.2025, as the petitioner is a student, studying ITI and he is bound to attend the classes daily, and if he is absent for 30 days, he will not be permitted to write the exam. The absence of the



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petitioner is neither willful, nor wanton. The condition No.iii is challenged as onerous condition by the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent-Police, on instructions, submitted that the petitioner has not complied with the conditions imposed by the Court below and he has not co-operated for investigation. He further submitted that the investigation is under progress and charge-sheet is yet to be filed and hence, he strongly objects to modify the condition.

4. Since the investigation is under progress and charge sheet is yet to be filed, this Court is not inclined to grant the relief as sought for by the petitioner by invoking Section 528 of the BNSS. Hence, the Criminal Original Petition is dismissed. The petitioner shall resort to redressal available under law, after completion of investigation and filing of final report.

10.07.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Principal Sessions Judge,
Salem.
2. The Inspector of Police,
Tharamangalam Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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