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Crl.OP.Nos.25836 & 25848 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.Nos.25836 & 25848 of 2024

Crl.OP.No.25836 of 2024

Sathiyaraj @Sirkali Sathya ... Petitioner(s) /Accused in
both petitions

Vs.

State rep. by,
Inspector of Police,
E-1, Mamalapuram Police Station,
Chengalpattu District. ... Respondent(s)/ Complainant in
Crime No.334 of 2024 Crl.OP.No.25836 of 2024

State rep. by,
Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District. ... Respondent(s)/ Complainant in
Crime No.413 of 2024 Crl.OP.No.25848 of 2024

Prayer: Criminal Original Petition filed under Section 483(1)(b) of BNSS, to modify the condition in No.2, imposed on the petitioner in Crl.M.P.Nos.420 & 2855 of 2024 dated 27.09.2024 & 26.09.2024 respectively on the file of the learned District Munsif cum Judicial



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Magistrate Court, Thirukazhukundram.

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In Both Petitions

For petitioner(s) : Mr.R.Subramanian

For Respondent(s) : Mr.S.Santhosh,
Government Advocate (Crl.Side)

COMMON ORDER

These petitions have been filed to modify the condition imposed by the learned District Munsif cum Judicial Magistrate Court, Thirukazhukundram, in Crl.M.P.Nos.420 & 2855 of 2024 dated 27.09.2024 & 26.09.2024 respectively.

2. The petitioner/ accused is facing two cases pending investigation — one in Crime No.334 of 2024 on the file of the Mamallapuram Police Station, Chengalpattu District and the other in Crime No.413 of 2024 on the file of the Chengalpattu Police Station, Chengalpattu District.

3. This court by an order dated 13.03.2025, considering the medical



conditions of the petitioner, had passed the following order:-

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“3. Admittedly, the petitioner is now residing in Sivaganga District. Since the petitioner can appear only before one of the respondents and has not appeared even once because of his illness, this court is of the view that the petitioner can be initially directed to appear before the Inspector of Police, S.V.Mangalam Police Station, Sivaganga District, everyday at 10:30 a.m. for a period of two weeks, starting from 17.03.2025.”

4. It is seen that, challenging the order dated 20.09.2024 passed by the Division Bench of this Court in HCP No. 1716 of 2024, quashing the detention order passed against the petitioner, the wife of the petitioner has filed an SLP before the Hon'ble Supreme Court.

5. The Hon'ble Supreme Court, by order dated 17.03.2025, set aside the order passed by the Division Bench of this Court and further observed as



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follows:-

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“ 8. ... The appellant shall appear before the appropriate police station as directed therein or according to the order if any passed subsequently by the High Court.”

6. The learned counsel for the petitioner would submit that, in view of the same, the conditions imposed in Crl.M.P.Nos.420 & 2855 of 2024, dated 27.09.2024 & 26.09.2024, respectively, may be modified.

7. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that, out of the two cases, the investigation in Crime No.334 of 2024 on the file of the Mamallapuram Police Station, Chengalpattu District, has been completed, and the case is pending trial in PRC.No.8 of 2025; whereas, the investigation in Crime No.413 of 2024 on the file of the Chengalpattu Police Station, Chengalpattu District, is still pending.

8. In view of the aforesaid submissions, this Court is of the view that



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the condition imposed in Crime No.413 of 2024 can be modified, directing the petitioner to appear before the Chengalpattu Taluk Police Station once a week for a period of four weeks, and thereafter, as and when required for interrogation. In respect of Crime No.334 of 2024, the petitioner shall appear before the committal court on all hearing dates in PRC.No.8 of 2025.

9. Accordingly, these Criminal Original Petitions are ordered.

15.04.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr

To

1. Inspector of Police,
E-1, Mamalapuram Police Station,
Chengalpattu District.
2. Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District.
3. The Public Prosecutor,

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Madras High Court, Chennai.

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SUNDER MOHAN, J.

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