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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL OP Nos.32056, 32061, 32062 & 32067 of 2024

Crl.O.P.No. 32056 of 2024

Esa@Eshwaran

S/o Gurusamy, No.12A, Selliyamman Kovil Street, Voc Nagar,
Tondiyarpet, Chennai 600081.

Petitioner(s)

Vs

The State Rep By

Inspector Of Police N-2, Kasimedu Police Station, Chennai.
Crime No 100 Of 2024.

Respondent(s)

For Petitioner(s):

K.Subburaj

For Respondent(s):

S.Santhosh

Government Advocate (Crl.Side)

Prayer: Criminal Original Petition filed under Section 483(1) (b) of BNSS, seeking modification of the condition that the petitioner/accused shall appear before the respondent police station at 10.00 a.m for a period of 20 days, imposed by the learned Metropolitan Magistrate at Chennai, in Crl.M.P.No.4299 of 2024 dated 29.04.2024.



Crl.O.P.No.32061 of 2024

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Esa@Eshwaran
S/o Gurusamy, No.12A, Selliyamman Kovil Street, Voc Nagar,
Tondiyarpet, Chennai 600081.

Petitioner(s)

Vs

The State Rep By
Inspector Of Police H-5, New Washermenpet Police Station,
Chennai. Crime No 719 Of 2024.

Respondent(s)

For Petitioner(s):

K.Subburaj

For Respondent(s):

S.Santhosh
Government Advocate (Crl.Side)

Prayer: Criminal Original Petition filed under Section 483(1) (b) of BNSS, seeking modification of the condition that the petitioner/accused shall appear before the respondent police station at 10.00 a.m for a period of 30 days, imposed by the learned XV Metropolitan Magistrate, Chennai, in Crl.M.P.No.12090 of 2024 dated 03.10.2024.

Crl.O.P.No.32062 of 2024

Esa@Eshwaran
S/o Gurusamy, No.12A, Selliyamman Kovil Street, Voc Nagar,
Tondiyarpet, Chennai 600081.

Petitioner(s)

Vs

The State Rep By
Inspector Of Police N-2, New Washermanpet Police Station,
Chennai. Crime No 207 Of 2023.

Respondent(s)

**For Petitioner(s):**

K.Subburaj

For Respondent(s):

S.Santhosh

Government Advocate (Crl.Side)

Prayer: Criminal Original Petition filed under Section 483(1) (b) of BNSS, seeking modification of the condition that the petitioner/accused shall appear before the respondent police station at 10.30 a.m until further orders, imposed by the learned Principal Special Court under EC and NDPS Court at Chennai, in Crl.M.P.No.8376 of 2023 dated 09.11.2023.

Crl.O.P.No.32067 of 2024

Esa@Eshwaran

S/o Gurusamy, No.12A, Selliyamman Kovil Street, Voc Nagar,
Tondiyarpet, Chennai 600081.

Petitioner(s)

Vs

The State Rep By

Inspector Of Police H-5, New Washermenpet Police Station,
Chennai. Crime No 184 Of 2024.

Respondent(s)

For Petitioner(s):

K.Subburaj

For Respondent(s):

S.Santhosh

Government Advocate (Crl.Side)

Prayer: Criminal Original Petition filed under Section 483(1) (b) of BNSS, seeking modification of the condition that the petitioner/accused shall appear before the

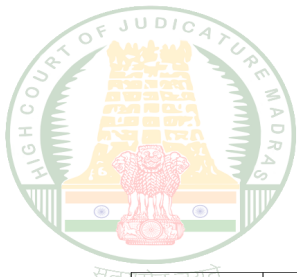


respondent police station at 10.00 a.m for a period of 30 days and thereafter on summons, imposed by the learned XV Metropolitan Magistrate Gt at Chennai, in CrI.M.P.No.12304 of 2024 dated 07.10.2024.

COMMON ORDER

It is the case of the petitioner that he has been implicated in several cases and in all the cases, the respective courts have granted bail to him. However, different conditions have been imposed by the different courts, which have granted bail. The details of which are given hereunder:

Sl.No.	Petition Number on the file of the court concerned	Crime Number	Respondent Police Station	Condition imposed
1.	CrI.M.P.No.4299 of 2024 on the file of the XVI Metropolitan Magistrate Court, George Town, Chennai	100 of 2024	N-2, Kasimedu Police Station, Chennai	The petitioner shall appear before the respondent police station at 10.00 a.m for a period of 20 days
2.	CrI.M.P.No.12090 of 2024 filed before the XV Metropolitan Magistrate, George Town, Chennai	719 of 2024	H5 Washermenpet Police Station, Chennai.	The petitioner shall appear before the respondent police station at 10.00 a.m for a period of 30 days
3.	CrI.M.P.No.8376 of 2023 on the file of the Principal Special Court under EC & NDPS Act, Chennai	207 of 2023	H5 Washermenpet Police Station, Chennai.	The petitioner shall appear and sign before the respondent police daily at 10.30 a.m



Sl.No.	Petition Number on the file of the court concerned	Crime Number	Respondent Police Station	Condition imposed
				until further orders.
4.	Crl.M.P.No.12304 of 2024 filed before the XV Metropolitan Magistrate, George Town, Chennai	184 of 2024	H5 New Washermenpet Police Station, Chennai.	The petitioner shall appear before the respondent police station at 10.00 a.m for a period of 30 days

2. The learned counsel for the petitioner would submit that since different courts have imposed different conditions, the petitioner is unable to comply with the conditions. He would submit that the petitioner is presently complying with the conditions imposed by this Court in Crl.O.P.No.24573 of 2024 dated 23.10.2024 by appearing before the Principal Special Court under EC & NDPS Court, Salem.

3. The learned Government Advocate (Crl.Side) would submit that the petitioner is a habitual offender, against whom, 22 cases are pending, out of which 9 have been disposed and 13 are pending trial before various Courts.

4. Heard the learned counsels on either side and perused the materials available on record.



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5. It is seen that the petitioner has been granted bail with different conditions by various courts, and this Court also finds that it would be difficult for the petitioner to appear before different courts to comply with the conditions at the same time. Taking into consideration the facts and the difficulty faced by the petitioner, this Court is of the opinion that the petitioner may appear whenever he is required by the police for investigation or whenever his presence is required before the trial Court and he shall also file a memo before the Principal Special Court under EC & NDPS Court, Salem, for his absence on that dates. The petitioner shall also appear before the courts concerned on the respective hearing dates, without fail and co-operate for the speedy disposal of the trial.

6. Accordingly, these Criminal Original Petitions are disposed of.

06.01.2025

Anu



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To

1. The Inspector of Police,
H5 New Washermenpet Police Station, Chennai.

2. The Inspector Of Police,
N-2, Kasimedu Police Station, Chennai

3. The Principal Sessions Court under EC & NDPS Court,
Chennai

4. The XVI Metropolitan Magistrate, George Town, Chennai

5. The XV Metropolitan Magistrate, Chennai

6. The Public prosecutor
Madras High Court.

7. The Principal Special Court under
EC & NDPS Court, Salem.



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A.D.JAGADISH CHANDIRA.,J.

Anu

CRL OP Nos.32056, 32061, 32062 & 32067 of 2024



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