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Crl.O.P.No.544 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.01.2025

CORAM :

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

Crl.O.P.No.544 of 2025

Vijay

... Petitioner

Vs.

1.The Inspector of Police,

Economic Offences Wing (EoW),
No.2, Natesan Salai,
Ashok Nagar, Chennai-600 083.

2.The Inspector of Police,

Avadi City CCB Police Station
Cr.No.04/2024 (u/s 465, 467, 468, 471,
477-A, 420, 120B, 34 IPC)

...Respondents

PRAYER: Criminal Original Petition is filed under Section 483 (b) of BNSS, 2023 praying to modify the condition No.4(f) of the statutory bail order made in the Crl.M.P.No.1453 of 2024 dated 20.05.2024 by the learned Judicial Magistrate No.1, Poonamallee, read as: “The petitioner/accused shall appear before this Court (Judicial Magistrate No.1, Poonamallee) on the receipt of summons from the court failing which the petitioner may be proceeded against as per Sec.229-A of IPC” may be modified as: “The petitioner/accused shall appear before the court of Additional Chief Metropolitan Magistrate, EOW 1, Egmore, on the receipt of summons from the court failing which the petitioner may be proceeded against as per Sec.229-A of IPC”



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For Petitioner : Mr.S.Abu Backer Sidhic

For Respondent : Mr.S.Santhosh

Government Advocate (Crl. Side)

ORDER

This petition has been filed to modify the condition No.4(f) imposed on the petitioner by the learned Judicial Magistrate No.1, Poonamallee, in Crl.MP.No.1453/2024 dated 20.05.2024 by directing the petitioner to appear before this Court (Judicial Magistrate No.1, Poonamallee) on the receipt of summons from the court failing which the petitioner may be proceeded against as per Sec.229-A of IPC.

2. Learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 19.02.2024 and he was granted statutory bail by the Lower Court for the offences punishable under Sections 120(B), 34, 420, 465, 467, 468, 471, 477-A of IPC in Cr.No.04 of 2024. The Lower Court while granting bail had imposed one of the condition that “the petitioner to appear before this Court (Judicial Magistrate No.1, Poonamallee) on the receipt of summons from the court failing which the petitioner may be proceeded against as per Sec.229-A of IPC”. He would further submit that the



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petitioner came to know that the case in Crl.O.P.No.30842 of 2024 in Crime No.04/2024 on the file of the 2nd respondent has been transferred to the file of the 1st respondent for further investigation. He also submit that the petitioner was put in an unlawful situation, due to which, the petitioner was unable to appear before the learned Judicial Magistrate, thereby, the present petition seeking modification has been filed.

3. Heard the learned Government Advocate (Crl.Side) appearing for the respondents.

4. Considering the submissions of the learned counsel on either side, the condition imposed by this Court in Crl.M.P.No.1453 of 2024 dated 20.05.2024, is **modified to the effect that the petitioner shall appear before the concerned trial Court, on the receipt of summons from the Court failing which the petitioner may be proceeded against as per Sec.229-A of IPC.**

5. With the above directions, this Criminal Miscellaneous Petition is ordered.

21.01.2025

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A.D.JAGADISH CHANDIRA.J.,

gbi

To

- 1.The Inspector of Police,
Economic Offences Wing (EoW),
No.2, Natesan Salai,
Ashok Nagar, Chennai-600 083.
- 2.The Inspector of Police,
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