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Crl.O.P.(MD)No.9052 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.05.2025**

CORAM:

THE HONOURABLE MR.JUSTICE P.VADAMALAI

Crl.O.P.(MD) No.9052 of 2025

Selvendran

... Petitioner / Sole Accused

Vs.

State of Tamil Nadu,
Represented by the Inspector of Police,
Thevaram Police Station,
Theni District.
(Crime No.45 of 2025)

...Respondent / Respondent

PRAYER: Criminal Original Petition is filed under Sections 483 and 528 of BNSS, 2023 praying to call for the records pertaining to the order, dated 13.05.2025, passed in Crl.M.P.No.971 of 2025 on the file of the Judicial Magistrate Court, Bodinayakkanur, Theni District and set aside the same, and modify the condition that the petitioner shall appear before the respondent police daily at 10.00 A.M. for the period of 30 days imposed on the petitioner in Crl.M.P.No.786 of 2025 passed by the Judicial Magistrate Court, Bodinayakkanur, Theni District dated 17.04.2025.

For Petitioner : Mr.A.Arputharaj

For Respondent : Mr.K.Gnanasekaran
Government Advocate (Criminal Side)



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ORDER

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This Petition has been filed under Sections 483 and 528 of BNSS, 2023 praying to call for the records pertaining to the order, dated 13.05.2025, passed in Crl.M.P.No.971 of 2025 on the file of the Judicial Magistrate Court, Bodinayakkanur, Theni District and set aside the same, and modify the condition that the petitioner shall appear before the respondent police daily at 10.00 A.M. for the period of 30 days imposed on the petitioner in Crl.M.P.No.786 of 2025 passed by the Judicial Magistrate Court, Bodinayakkanur, Theni District dated 17.04.2025.

2. The learned counsel appearing for the petitioner submits that the petitioner has complied with the condition imposed by the Judicial Magistrate Court, Bodinayakkanur, Theni in Crl.M.P.No.786 of 2025 dated 17.04.2025 for 8 days. Subsequently, the petitioner has filed the petition in Crl.M.P.No.971 of 2025 on the file of the aforesaid Court and the same was dismissed on 13.05.2025. Since the petitioner is undergoing treatment for his health issue, he seeks modification of condition No.2 imposed on him in Crl.M.P.No.786 of 2025 dated 17.04.2025.



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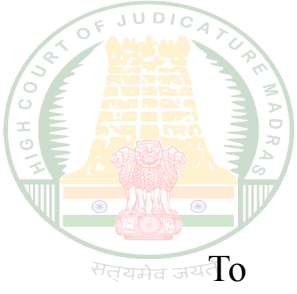
3. The learned Government Advocate (Criminal Side) appearing for the respondent submits that the petitioner has complied with the condition for only eight days.

4. In view of the submission made by either side, and also considering the medical condition of the petitioner, this Court is inclined to set aside the order passed by the Judicial Magistrate Court, Bodinayakkanur, Theni in Crl.M.P.No.971 of 2025 dated 13.05.2025 and accordingly, the same is set aside. Further, condition No.2 imposed on the petitioner in Crl.M.P.No.786 of 2025, dated 17.04.2025, by the learned Judicial Magistrate Court, Bodinayakkanur, Theni is modified to the effect that the petitioner shall appear and sign before the Inspector of Police, Palanichettipatti Police Station, Theni daily at 10.00 am for a period of 30 days from the date of receipt of a copy of this order. All other conditions shall remain unaltered.

5. In the result, this Criminal Original Petition is allowed.

22.05.2025

Index : Yes/No
Internet : Yes/No
mkn



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To

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- 1.The Judicial Magistrate Court,
Bodinayakkanur, Theni District.
- 2.The Inspector of Police,
Thevaram Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Inspector of Police,
Palanichettipatti Police Station,
Theni.



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P.VADAMALAI, J.

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