



CRL OP(MD). No.11563 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.11563 of 2025

1. Jagadheesh,
S/o.Lazur,

2. Stephen Arputharaj,
S/o.Thaveethu

... Petitioners

Vs

The State of Tamil Nadu,
Rep by the Sub- Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.
Crime No.183/2025.

... Respondent/Complainant

For Petitioner : Mr.R.Ponkarthikeyan
Advocate.

For Respondent : Mr.M.Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR MODIFICATION Under Sec.528 of BNSS



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PRAYER :- To modify the condition No.2 imposed in Crl.MP.No.873 of 2025 dated 01.07.2025 on the file of the learned Judicial Magistrate, Nanguneri .

ORDER : The Court Made the following order :-

This petition has been filed to modify the condition No.2 imposed in Crl.MP.No.873 of 2025 dated 01.07.2025 on the file of the learned Judicial Magistrate, Nanguneri.

2. The learned Counsel for the petitioner would submit that the petitioner has filed an bail petition before the learned Judicial Magistrate, Nanguneri in Crl.MP.No.873 of 2025. The said bail petition was heard and on 01.07.2025, the Hon'ble trial Court was pleased to grant bail to the petitioner with certain conditions. In the said bail order, Condition No.2 as follows:

"2. The petitioners/accused shall report and sign before this Court daily at 10.00a.m. for 15 days."



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3. He further submits that the first petitioner Jagadheesh, was admitted in hospital with multiple injuries with Left 4 Lumbar Transverse processes Fracture, due to assault and the doctor advised him to take complete bed rest. The second petitioner Stephen Arputharaj, was admitted in hospital with multiple injuries with Right Tibial Plateau Fracture with Right Proximal Shaft Fibula Fracture, due to assault, for which surgery was initially advised, the doctor advised him to take complete bed rest. The petitioners are unable to travel due to their injuries and they are currently undergoing medical treatment. It is highly improbable for the petitioners to appear and sign before the concerned Trial Court . The petitioners find it very difficult to comply the said condition. Therefore, the petitioners seek indulgence of this court by modifying the said condition imposed against them. Hence, he prays to allow the present petition.

4. The learned Government Advocate (Crl.side) appearing for the respondent has not raised any objection to allow this Criminal Original Petition.



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5. Considering the submissions made by the learned Counsel for the Petitioner, on perusal of the medical records of the petitioners, and being satisfied with the reasons stated above, this Court is inclined to set aside the condition No.2 imposed by the learned Judicial Magistrate Nanguneri in Crl.M.P.No.873/2025 dated 01.07.2025. **Accordingly, condition No.2 imposed by the learned Judicial Magistrate Nanguneri in Crl.M.P.No.873 of 2025 dated 01.07.2025 is hereby set aside, the other conditions shall remain unaltered. The petitioners are directed to report before the respondent police, as and when required for interrogation.**

6. With the above said observations, this Criminal Original Petition is allowed.

(P V M J)
10.07.2025

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To

1. The Judicial Magistrate,
Nanguneri.
2. The Sub Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

gvn

ORDER
in

CRL OP(MD).No.11563 of 2025

Dated : 10/07/2025