



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2013

THE HON'BLE MRS.JUSTICE ARUNA JAGADEESAN

CRL.R.C.(MD) No.28 of 2013

WEB COPY

1.Palanisamy  
2.Ananthi  
3.Sadeswari

... Petitioners/Accused

Vs.

The Sub-Inspector of Police,  
Irrukankudi Police Station,  
Virudhunagar,  
(In Crime No.385 of 2012)

... Respondent

Prayer: Criminal revision petition filed under Section 397 and 401 of Criminal Procedure Code to call for the records in Crl.M.P.No.7498 of 2012 on the file of the learned Principal Sessions Judge Virudhunagar at Srivilliputhur and set aside the order passed in Crl.M.P.No.7498 of 2012 dated 04.12.2012 and pass any such further or other orders as this Court may deem fit and proper under the circumstances of the case.

For Petitioners : Mr.C.M.Arumugam

For Respondent : Mrs.S.Prabha

Government Advocate

#### O R D E R

This Criminal revision is filed against the order passed by the learned Principal Sessions Judge, Virudhunagar at Srivilliputhur dismissing the petition filed by the petitioners to relax the condition imposed on them on the ground that there is total violation of the condition by the petitioners.

2. The petitioners filed anticipatory bail application before the learned Principal Sessions Judge, Srivilliputhur who apprehended arrest for the offence punishable under Sections 294(b), 323, 324 and 506(ii) IPC. The Principal Sessions Judge granted anticipatory bail on imposing certain conditions that the petitioners should stay at Sankarankoil and report before the Station House Officer, Sankarankoil at 10.00 a.m. and 5.00 p.m. and co-operate with the investigation until further orders.

3. Thereafter, the petitioners have filed an application to relax the condition and the same was opposed by the learned Public Prosecutor appearing for the respondent police stating that the petitioners have violated the condition. Hence, the learned Principal Sessions Judge dismissed the petition on the ground that the petitioners violated the condition and they are not entitled for relaxation.

4. The learned Government Advocate appearing for the respondent State has filed a counter affidavit stating that the petitioners did not comply with the orders passed by the Principal Sessions Judge, Virudhunagar, Srivilliputhur and they did not sign before the Station House Officer, Sankarankoil as directed by the learned Principal Sessions



Judge. It is also stated that A1 signed from 18.11.2012 to 26.11.2012 and A3 and A4 signed from 18.11.2012 to 23.11.2012. Further it is stated in the counter affidavit that the respondent police is taking steps to file a petition for cancellation of anticipatory bail for violation of condition by the petitioner.

WEB COPY

5. The learned counsel for the petitioners would submit that they are residing at Chinna Kollapatty Village, Sattur Taluk and they are all coolie workers and they have to eke-out their livelihood by doing coolie work. Therefore, it is admitted by the learned counsel for the petitioners that the petitioners complied with the conditions only on certain period and they could not comply with the condition. They are unable to stay at Sankarankoil and report before the Station House Officer, Sankarankoil as they are poor and unable to spend for the stay and other expenses.

6. Considering the submissions made by the learned counsel for the petitioners, I am of the considered view that the condition imposed by the learned Principal Sessions Judge, Virudhunagar, Srivilliputhu may be modified and accordingly, the first petitioner shall report before the respondent police daily at 6.00 pm. Insofar as the second and third petitioners are concerned, they are directed to report before the respondent police once in two days at 6.00 p.m. The petitioners have to co-operate with the police for investigation.

7. With the above modification, this Revision is disposed of.

sd/-

Deputy Registrar (Accounts)

/True Copy/

Assistant Registrar

To

1.The Principal District Judge,  
Virudhunagar, Srivilliputhur.

2.The Sub-Inspector of Police,  
Irrukankudi Police Station,  
Virudhunagar.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+ 1 cc to Mr.C.M.Arumugam, Advocate, SR No.11792

Crl.R.C. (MD) No.28 of 2013

28.02.2013

ses

RJ/6.3.13

2p/5c