

In the Court of the Principal District Judge, Madurai.

Present : Tmt.A. Nazeema Banu, B.A., L.L.M.,

Principal District Judge, Madurai.

Monday, this the 4<sup>th</sup> day of May 2020.

Crl.M.P.No.2165/2020

Mahalakshmi

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Tallakulam P.S. Cr.No. 2075/2019

.. Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.P.Sankarapandi, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following:

**ORDER.**

1. Petition filed to relax the Condition.
2. The offence alleged are U/s. 323, 326 and 109 of IPC.
3. Both heard.
4. The petitioner was granted bail in Crl.M.P.No.1484/2020 dated 17.3.2020 with condition that to appear and sign before the Inspector of Police, respondent Police Station, daily at 10.00 a.m. until further orders.
5. The learned counsel for the petitioner submitted that the petitioner has been complying the condition regularly for 47 days. The petitioner/accused is bread winner of the family and prayed that the condition may be relaxed.
6. The learned Public Prosecutor submitted that the petitioner has been complying the condition for 47 days, he placed his objection.
7. Considered the rival submissions, it is seen from the submissions made by the learned Public Prosecutor that the petitioner has been complying with the condition for the past 47 days, without any remarks. Considering the

duration of compliance and also the stage of investigation, this court is inclined to relax the condition totally.

8. In the result, condition is relaxed. The petitioner shall appear before the concerned Judicial Magistrate on summons and to co-operate with the court for early disposal of the case. If there is any deviation, the Investigation Officer is within his powers to seek cancellation of bail by filing a petition before the Court of the learned Judicial Magistrate for cancellation of bail even though the bail granted by the Sessions Court as per the ruling of the Hon'ble Supreme Court reported in **P.K.Shaji /vs/ State of Kerala, (2005) AIR S.C.W.5560**. Accordingly this petition is allowed.

Pronounced by me in Camp Court on the 4<sup>th</sup> day of May 2020.

Sd/- A.Nazeema Banu

Principal District Judge, Madurai

Copy to

1. The Judicial Magistrate concerned
2. The Inspector of Police, Tallakulam P.S.
3. The Petitioner through his counsel.