

In the Court of Vacation Sessions Judge, Kanniyakumari District at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.
Vacation Sessions Judge/Principal Sessions Judge,
Kanniyakumari at Nagercoil.

Thursday, the 23rd day of May, 2024.

CrI.M.P. No. 188/2024

(CNR.No.TNKK0V-000244-2024)

1. Mohammed Mahin Abubacker @ Mohammed Mahin Abubucker (A1)
S/o Abdul Majeed @ Abdul Majeeth
2. Abdullah @ Abdhullah (A9)
S/o Shahul Hameed @ Sahul Hameed
3. Hyther Ali @ Hydher Ali, (A10)
S/o Peer Mohamed @ Beer Mohammed
4. Imrankhan @ Imrankan (A11)
S/o Jainulabdeen @ Jainu abdeen
5. Mujif Rahuman @ Shaik Mujibur (A13)
S/o Kaja Mohideen @ Kaja Muhaideen
6. Mohammed Jaleel, S/o Sheik Mathar (A15) .. Petitioners

/Vs./

Sub Inspector of Police,
Kanyakumari Police Station,
Crime No. 156/2024 of Kanyakumari Police Station,
Rep. by Public Prosecutor, Nagercoil.

... Respondent

This petition is filed by Advocate Thiru R. Arjun Subash @ Mano, praying to condone the non compliance of condition by the petitioners from 11.04.2024 to 25.04.2024.

ORDER

Heard both sides. Perused the petition.

Offence u/s 147, 148, 294(b), 307, 323, 324 and 506(ii) of IPC and Section 3(1) of TNPPDL Act and Section 4 of TNPHW Act.

The petitioners 1, 4 to 6 were granted bail by the Principal Sessions Court, Kanniyakumari at Nagercoil on 08.04.2024 in CrI.M.P.No.2074/2024 and the petitioners 2 and 3 were granted bail by the Principal Sessions Court, Kanniyakumari at Nagercoil on 08.04.2024 in CrI.M.P. No.2107 and 2109/2024 respectively with condition that the petitioners should appear and sign before the respondent police daily at 10.00 A.M. until further orders and they shall not enter into the Meerasa Andavar Pallivasal, Kanyakumari until further orders.

The learned counsel for the petitioners submitted that the petitioners were released on bail on 10.04.2024 and subsequently they came to know that the respondent police may arrest them in another case in Crime No.158/2024 and in that case also, the Principal Sessions Court had also granted anticipatory bail on 23.04.2024 in CrI.M.P. No.2262/2024 and after released on bail on 24.04.2024, the petitioners have been complying the condition regularly from 26.04.2024 and the non compliance of condition for the period from 11.04.2024 to 25.04.2024 is neither wilful nor wanton and the earlier petition in CrI.M.P. No.181/2024 for relaxation of

condition was dismissed on 16.05.2024 and prayed that the non-compliance of condition may be condoned.

The learned Public Prosecutor submitted that the petitioners were released on bail on 10.04.2024 and they have been complying the condition only from 26.04.2024.

Considering the reasons stated by the learned counsel for the petitioners, this court is inclined to condone the non compliance of condition from 11.04.2024 to 25.04.2024.

In the result, non compliance of condition by the petitioner from 11.04.2024 to 25.04.2024 is condoned and accordingly this petition is allowed.

Pronounced by me in open court this the 23rd day of May, 2024.

Vacation Sessions Judge,
Nagercoil.

To
The Judicial Magistrate, Additional Mahila Court, Nagercoil. (through e-Mode)
The Sub Inspector of Police, Kanyakumari Police Station. (through court cell
e-Mode)