



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Thirtieth day of March Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice V.S.RAVI

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CRL MP(MD) No.2699 of 2016 IN MP(MD).No.1 of 2015
IN
CRL A(MD) No.369 of 2015

MURUGAN

... PETITIONER/APELLANT

Vs

STATE REP BY

THE DEPUTY SUPERINTENDENT OF POLICE,

KOVILPATTI, KOVILPATTI EAST POLICE STATION,

TIRUNELVELI DISTRICT, CR NO. 947/2004. ... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to relax the condition imposed on the Petitioner by this Honourable Court vide its order dated 14.12.2015 made in M.P. (MD) No. 1 of 2015 in Crl A (MD) No. 369 of 2015.

Prayer in MP(MD). 1/ 2015 in CRL A(MD).369/2015 :

To suspend the sentence imposed on the petitioner by the Learned II Additional District & Sessions Judge Tirunelveli in S.C. No. 76 of 2008 vide judgment dated 19.12.2014 and release the petitioner on bail pending disposal of the above Criminal Appeal.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.S.R.DURAI RAJ, Advocate for the petitioner and of MR.P.KANDASAMY Government Advocate(Crl.Side) on behalf of the Respondent the court made the following order:-

This is an application filed by the petitioner to relax the condition imposed by this Court in M.P.(MD) No.1 of 2015 in Crl.A.No.369 of 2015 dated 14.12.2015 at the time of granting suspension of sentence and bail to the petitioner.

2.This Court, in M.P.(MD) No.1 of 2015 in Crl.A.(MD) No.369 of 2015, while granting suspension of sentence to the petitioner, directed the petitioner to report before the learned II Additional District and Sessions Judge, Tirunelveli, on Monday and Thursday of every week at 10.30 a.m. until further orders.

3.It is specifically stated in the petition that the petitioner is complying with the condition already imposed on him since 21.12.2015 without any default. Further, it is stated that the petitioner is residing 20kilometers away from the II Additional District and Sessions Court, Tirunelveli and the petitioner is only the breadwinner of his family and the entire family is totally depending upon the income of the petitioner for their livelihood.



4.Further, it is pertinently point out that due to the above mentioned condition, the petitioner is unable to do his regular work and also unable to do his coolie work and thereby, the petitioner's livelihood is very much affected and the petitioner is a poor and he could not meet the travelling expenses also.

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5.Further, it is stated that the petitioner is suffering from diabetic disease and he is taking medical treatment regularly for the same and due to his ill health, the petitioner is meeting much hardship to comply with the condition imposed on him and hence, he has prayed for relaxation of the condition.

6.It is reported by the learned Government Advocate (criminal side) that the petitioner is complying with the condition already imposed on him by this Court without any violation.

7.Considering the above mentioned facts and circumstances, this Court is satisfied to modify the condition and the condition already imposed against the petitioner is modified and the petitioner is directed to appear before the learned II Additional District and Sessions Judge, Tirunelveli on the first working day of every English Calender month at 10.30 a.m., till the disposal of the appeal.

8.This petition is ordered accordingly,.

sd/-

30/03/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE,, TIRUNELVELI
- 2 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, TIRUNELVELI
- 3 THE DEPUTY SUPERINTENDENT OF POLICE,
KOVILPATTI,KOVILPATTI EAST POLICE STATION,
TIRUNELVELI DISTRICT
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.JAYAKARTHIK Advocate SR.No.18282

ORDER IN
CRL MP(MD) No.2699 of 2016 IN
MP(MD).NO.1 of 2015
CRL A(MD) No.369 of 2015
Date :30/03/2016

AA/GSV-PM/SAR-I/05.04.2016/2p-6c