



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2016

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

Cr1.RC(MD)No.706 of 2016  
and  
CRL.MP.(MD)No.9993 of 2016

S.Shanthi : Revision Petitioner/Accused No.1

Vs.

State through  
The Inspector of Police,  
Austinpatti Police Station,  
Madhurai District,  
(In Crime No.73 of 2016)

: Respondent / Complainant

**Prayer:** Revision is filed under Section 397 r/w 401 of Cr.P.C., praying to call for the entire records connected with the impunged order in Cr1.M.P.No.4873 of 2016, dated 03.10.2016 passed by the Learned Judicial Magistrate, Thirumangalam at Madurai and set aside the same as illegal with regard to the condition to appear before the Learned Judicial Magistrate, Thirumangalam three time daily is concerned within the time stipulated by this Court.

For Petitioner :Mr.I.Sabeer Mohamed

For Respondent :Mr.P.Kandasamy  
Government Advocate(Crl. Side)

### **O R D E R**

This Revision is filed praying to set aside the order passed in Cr1.M.P.No.4873 of 2016, dated 03.10.2016 by the Learned Judicial Magistrate, Thirumangalam at Madurai in and by which, the petitioner has been directed to appear before the said Judicial Magistrate thrice in a day, since the case is pending in P.R.C., stage.



Advocate (crl.side) for the State and also perused the materials placed before this Court.

3. When the matter is taken up for hearing, the learned Government Advocate (crl.side) would submit that he has no objection to relax the condition imposed by the Learned Judicial Magistrate, Thirumangalam at Madurai.

4. Considering the above facts and circumstances of the case and also the reasons assigned by the petitioner in the affidavit filed in support of the Revision in respect of the condition imposed by the learned Judicial Magistrate, this Court is inclined to set aside the order passed by the Learned Judicial Magistrate, Thirumangalam at Madurai.

5. In the result, this Revision is allowed and the order passed by the Learned Judicial Magistrate, Thirumangalam at Madurai, in Crl.M.P.No.4873 of 2016, dated 03.10.2016, is hereby set aside. The Petitioner is directed to appear before the Magistrate concerned for committal of this case and to defend the case in accordance with law. The petitioner is also directed to co-operate the trial of the proceedings. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate, Thirumangalam at Madurai.

2.The Inspector of Police,  
Austinpatti Police Station, Madhurai District,

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

+1 cc to M/s.I.Sabeer Mohamed, Advocate in SR.No. 62017

MPK

CSL/SS-2/04.11.2016: 2P/5C

Order made in  
**Crl.RC(MD)No.706 of 2016**  
Dated:- **18.10.2016**