



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

Crl.RC (MD) No.738 of 2016

- 1.Thanumalia Perumal
- 2.Balan
- 3.Chella Sivalingam
- 4.G.Aiyathurai
- 5.S.Manikandan
- 6.B.Sribalan
- 7.R.Sundaralingam
- 8.V.Raja Lingam

:Petitioners/Accused Nos.1 to 8

Vs.

- 1.The State rep.by  
The Inspector of Police,  
South Thamaraikulam Police Station,  
Kanyakumari District.  
(Crime No.334 of 2016)

:Respondent/Complainant

Prayer: Revision is filed under Section 397 r/w 401 of Cr.P.C., praying to call for the records pertaining to the order in Crl.M.P.No.3030 of 2016 on the file of the District Sessions Court, Kanyakumari District at Nagercoil, dated 30.09.2016 in Crime No.334 of 2016, dated 26.09.2016 on the file of the respondent police and set aside the same.

For Petitioners

:Mr.T.Lajapathi Roy

For Respondent

:Mr.P.Kandasamy

Government Advocate(Crl. Side)

#### O R D E R

This Criminal Revision is filed praying to set aside the order passed in Crl.M.P.No.3030 of 2016, dated 30.09.2016, by the learned District Sessions Judge, Kanyakumari District at Nagercoil, in Crime No.334 of 2016, dated 26.09.2016, on the file of the respondent police.

2. I have heard the submissions made by the learned counsel appearing for the Revision Petitioners and the learned Government Advocate (crl.side) for the State and also perused the materials placed before this Court.

3. It is admitted that the condition imposed by the lower Court is the onerous one. It is further admitted that the petitioners are complying with the condition regularly, till date. The learned Government Advocate (crl.side) has also no objection in allowing this Criminal Revision.



4. Considering the facts and circumstances of the case and also considering the fact that the petitioner are complying with the condition imposed by the Court below, till date, though the said condition is onerous one, this Court is inclined to allow the Revision.

5. In the result, the Criminal Revision Case is allowed and the order passed in Crl.M.P.No.3030 of 2016, dated 30.09.2016, by the learned District Sessions Judge, Kanyakumari District at Nagercoil, in Crime No.334 of 2016, dated 26.09.2016, on the file of the respondent Police, is set aside.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS)

To

1.The District Sessions Judge,  
Kanyakumari District at Nagercoil,

2.The Inspector of Police,  
South Thamaraiikulam Police Station,  
Kanyakumari District.

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

+1cc to M/s.T.Lajapathi Roy, Advocate in SR.65366

Crl.RC(MD)No.738 of 2016

Dated:- 03.11.2016

mpk

PBK/SS-3/SAR-I 03/11/2016 ::2P-5C:(IT)