

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty First day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice N. AUTHINATHAN

CRIMINAL MISCELLANEOUS PETITION No.12035 of 2017

IN CRL A.75/2017

RAVI

[PETITIONER]

Vs

THE INSPECTOR OF POLICE,
JAYANKONDAM POLICE STATION,
ARIYALUR DISTRICT.
CR.NO. 366 OF 2016.

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to relax the condition imposed on the petitionr in Crl.M.P.No.2292 of 2017 dated 18.07.2017 in Crl.A.No.75 of 2017.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.G.PUGAZHENTHI, Advocate for the petitioner and of MR. K.MATHAN, Govt. Advocate(Crl. Side) on behalf of the Respondent the court made the following order:-

The petition has been filed to relax the condition imposed on the petitioner in Crl.M.P.No.2292/2017 dated 18.07.2017 in Crl.A.No.75 of 2017.

2. The petitioner is the accused in S.C.No.80/2016 on the file of the Fast Track Mahila Court, Ariyalur. He was convicted and sentenced to undergo rigorous imprisonment for 10 years and to pay a fine of Rs.10,000/-, in default, to undergo simple imprisonment for one year for the offence under Section 307 of IPC and also sentenced to undergo simple imprisonment for one month and to pay a fine of Rs.500/-, in default, to undergo simple imprisonment for 15 days for the offence under Section 294(b) of IPC.

3. The aforesaid sentence of imprisonment imposed on the petitioner by the trial court alone is suspended till the disposal of this appeal by this Court by order dated 18.07.2017 made in Crl.M.P.No.2292/2017 on condition that the petitioner shall execute a bond for Rs.5,000/- with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Fast Track Mahila Court, Ariyalour within a period of two weeks from the date of that order and on further condition that the petitioner shall stay at Kumbakonam and report before the Judicial Magistrate No.I, Kumbakonam, daily at 10.30 a.m. until further orders.

4. Now, the learned Counsel for the petitioner submits that the petitioner has been complying with the condition imposed by this Court dated 18.07.2017 without fail. Hence, prays for total relaxation of the condition imposed on the petitioner, while suspending the sentence.

5. Learned Government Advocate submits that the petitioner has been regularly complying with the condition imposed by this Court.

6. Considering the facts and circumstances of the matter and also considering the nature of the offence committed by the petitioner, this Court is not inclined to relax the condition imposed on the petitioner in toto, however, having regard to the difficulties expressed by the learned Counsel for the petitioner, this Court is inclined to modify the condition to the effect that the petitioner shall report before the respondent police daily at 5.30 p.m. until further orders, instead of the condition that he shall stay at Kumbakonam and report before the Judicial Magistrate No.I, Kumbakonam daily at 10.30 a.m. until further orders.

7. With the above modification, the present Criminal Miscellaneous Petition is ordered.

-sd/-
21/09/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE FAST TRACK MAHILA COURT,
ARIYALUR

2 THE JUDICIAL MAGISTRATE,
NO.I, KUMBakonam.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
JAYANKONDAM POLICE STATION,
ARIYALUR DISTRICT.

5 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR(FOR INFORMATION)

C.C. to M/S.G.PUGAZHENTHI Advocate on payment of necessary
charges Sr.18241

Order

in
CRL MP.12035/2017

in
CRL A.75/2017

Date :21/09/2017

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rvr 25/09/2017