



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

Thursday, the Ninth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL MP(MD) No.10115 of 2017

IN

CRL RC(MD) No.87 of 2012

V.LAKSHMANAN

... PETITIONER / PETITIONER

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
SUCHINDRUM POLICE STATION,
KANYAKUMARI DISTRICT.

(CRIME NO.73 OF 2007)

... RESPONDENT / RESPONDENT

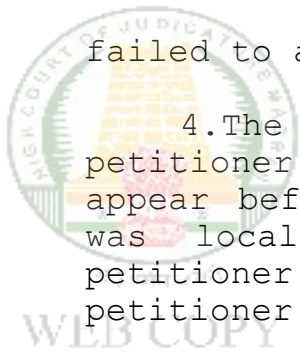
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to Condone the absence of the Petitioner before the Trial Court viz., Principal Assistant Sessions Judge, Nagercoil on 02.11.2017 as per the order dated 26.03.2012 made in M.P.(MD)No.1 of 2012 in Crl.R.C.(MD)No.87 of 2012 and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.M.SURI, Advocate for the petitioner and of Mr.T.MOHAN, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

The learned counsel for the petitioner is present. The learned Additional Public Prosecutor appearing for the respondent is also present. Heard both sides.

2.The petitioner herein is the sole accused in S.C.No.132 of 2007 on the file of the Principal Assistant Sessions Judge, Nagercoil and the same was convicted. Against that order of conviction, the petitioner preferred an appeal before the Sessions Court, Kanyakumari Division at Nagercoil and the same was also dismissed, confirming the judgment of the Trial Court.

3.Against that order of dismissal, the petitioner preferred the Criminal Revision before this Court and during the pendency of that revision, the petitioner filed Crl.M.P.(MD)No.1 of 2012 to suspend the sentence and the same was also ordered, directing the petitioner to appear before the Trial Court on the first working day of every English calendar month. The petitioner was also complied the condition from April 2012 onwards and thereafter, the petitioner



failed to appear on 02.11.2017.

4.The learned counsel for the petitioner submitted that the petitioner was not well on 31.10.2017, therefore, he could not appear before the concerned Court on 02.11.2017 since 01.11.2017 was local holiday in Kanyakumari District. Therefore, the petitioner filed this petition to condone the absence of the petitioner on 02.11.2017.

5.The learned Additional Public Prosecutor appearing for the respondent would submit that he has no objection to condone the absence of the petitioner on 02.11.2017.

6. Hence, this petition is allowed by condoning the absence of the petitioner on 02.11.2017. Accordingly, the petitioner is directed to continue to appear before the concerned Court.

sd/-

09/11/2017

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL ASSISTANT SESSIONS JUDGE,
NAGERCOIL
- 2 THE INSPECTOR OF POLICE,
SUCHINDRUM POLICE STATION,
KANYAKUMARI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. C.C. to Mr.M.SURI Advocate SR.No.34108

JAM/20/11.17/CM-VR/SAR 4/ 2p-5c

ORDER
IN
CRL MP (MD) No.10115 of 2017
IN
CRL RC (MD) No.87 of 2012
Date :09/11/2017