



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

Tuesday, the Third day of January Two Thousand Seventeen

PRESENT

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

CRL MP(MD) No.12361 of 2016  
IN  
CRL OP(MD) No.19211 of 2016

P.VIVEK,

... PETITIONER/PETITIONER

Vs

THE STATE REPRESENTED BY  
THE INSPECTOR OF POLICE,  
KOVILPATTI EAST POLICE STATION,  
THOOTHUKUDI DISTRICT.  
(IN CRIME NO.546/2015)

... 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 in Crl.OP(MD)No.19211 of 2016 dated 05.10.2016 in Crime No.546 of 2015 on the file of the respondent police.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.P.PRITHIVIRAJ, 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 a petition seeking relaxation of the condition imposed by this Court on the petitioner in Crl.O.P.(MD).No.19211 of 2016, dated 05.10.2016.

2.As per the earlier order of this Court, dated 16.12.2016, a report is received from the II Additional District and Sessions Judge, Thoothukudi and it reveals that the petitioner is observing the condition from 17.10.2016 till 02.01.2017, except on 23.10.2016, 06.12.2016, 12.12.2016, 26.12.2016 and 27.12.2016. Hence, appearance of the petitioner is irregular before the concerned Court and the condition imposed by this Court has not been properly complied with. The petitioner has not taken any steps to condone his absence before the trial court.

3.Considering the case of the petitioner, however, in the interest of Justice, this Court directs that the petitioner has to deposit a sum of Rs.1,000/- (Rupees one thousand only) into the District Legal Services Authority, Thoothukudi and to appear before



the concerned Court from the date on which order copy is made ready until further orders.

4. In view of the above, the absence of the petitioner before the trial court is condoned. Accordingly, this petition is disposed of.

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sd/-  
03/01/2017

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

- 1 THE II ADDITIONAL SESSIONS JUDGE, THOOTHUKUDI.
- 2 -do-thro' THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,  
THOOTHUKUDI.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.
- 4 THE INSPECTOR OF POLICE, KOVILPATTI EAST POLICE STATION,  
TUTICORIN DISTRICT.
- 5 THE OFFICER INCHARGE,  
THE DISTRICT LEGAL SERVICES AUTHORITY,  
THOOTHUKUDI

+1. C.C. to M/S.P.PRITHIVIRAJ Advocate SR.No.341/17

ORDER  
IN  
CRL MP (MD) No.12361 of 2016  
IN  
CRL OP (MD) No.19211 of 2016  
Date :03/01/2017

GJM/SKS-RR/SAR-2/06.01.2017:2P/7C