



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

Thursday, the Thirteenth day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL MP(MD) No.4692 of 2017
IN
CRL A(MD) No.51 of 2012

VEERA THEVAN

... PETITIONER/ APPELLANT

Vs

THE STATE REP.BY,
THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
MADURAI DISTRICT
CRIME NO. 9/2004

... 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 in Cr.M.P(MD) No. 1/2012, in Crl.A (MD) NO. 51/2012 dated 26/03/2012 on the file of this Honourable Court and to render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.K.PRABHU, Advocate for the petitioner and of MR.C.MAYILVAHANA RAJENDRAN, Additional Public Prosecutor on behalf of the Respondent the court made the following order:-

This petition has been filed praying to relax the condition imposed against the petitioner in MP(MD)No.1 of 2012 in Crl.A(MD) No.51 of 2012.

2.The petitioner has filed MP(MD)No.1 of 2012 in Crl.A(MD) No.51 of 2012 to suspend the substantive sentence imposed against him and this Court has allowed the petition and thereby suspended the substantive sentence imposed against the petitioner. While suspending the sentence, this Court directed the petitioner to appear before the trial Court on the second working day of every English Calendar month till the disposal of the Appeal. In order to relax the condition imposed by this Court, the present petition has been filed.

3.The learned counsel for the petitioner submitted that the petitioner is suffering from residual paralysis and he is not able to appear before the trial Court. He has also produced a medical report issued by the Medical Officer, Government Primary Health Centre, Ananthur, Virudhunagar District, wherein it is stated as follows:



"This is to certify that Mr.K.Veera Thevan 65 years male had CVA - Rt hemiplegia Jan 2017 & he underwent decompressive craniotomy as life saving procedure. At present he is with defect on skull, residual paralysis, complete bedridden (unable to walk) loss of speech. He is depending someone for his daily activities."

4.Taking into consideration of the fact that the petitioner is suffering from residual paralysis and he is not able to appear before the Court, this Court is inclined to allow the present petition.

5.In fine, this petition is allowed. The condition imposed by this Court is relaxed in toto.

sd/-
13/07/2017

/ TRUE COPY /

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

TO

- 1 THE SPECIAL JUDGE,
SPECIAL COURT FOR CASES UNDER PREVENTION OF CORRUPTION ACT,
MADURAI.
 - 2 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION, MADURAI DISTRICT.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to M/S.K.PRABHU Advocate SR.No.26540

ORDER
IN
CRL MP(MD) No.4692 of 2017
IN
CRL A(MD) No.51 of 2012
Date :13/07/2017

MKV-PM-PN-SAR 1/17.7.2017/2P-5C