



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Twenty Eighth day of July Two Thousand and Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

WEB COPY

CRL MP(MD) No.6516 of 2017

IN

MP(MD)No.1 of 2015 in
CRL A(MD) No.339 of 2015

MUTHUSELVAM

... PETITIONER/PETITIONER/APPELLANT

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
VILATHIKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO. 53/2013)

... RESPONDENT/RESPONDENT/RESPONDENT

PRAYER IN CRL MP(MD) No.6516 of 2017:

Petition filed under section 482 of Criminal Procedure code to relax the condition imposed in M.P(MD).No.1/2015 in Crl.A.(MD).No.339/2015 dated 21/12/2016.

PRAYER IN MP(MD)No.1 of 2015:

Petition filed under section 389(1)d 439 of Cr.P.C. to suspend the sentence of the petitioner imposed in S.C.No.15 of 2014 on the file of the Sessions Judge, Mahalir Neethimandram(Fast Track Mahila Court), Thoothukudi, dated 17.04.2015 and enlarge the petitioner on bail, pending Criminal Appeal on the file of this Hon'ble Court.

PRAYER IN CRL.A:

This Appeal filed under section 374 Cr.P.C to set aside the Judgment and conviction of the Appellant/ Accused in S.C.No.15 of 2014 on the file of the Sessions Judge, Mahalir Neethimandram(Fast Track Mahila Court), Thoothukudi, dated 17.04.2015 and acquit the appellant.

Order : This petition coming on for hearing on this day, upon perusing the petition and affidavit and material papers of this Petition and upon hearing the arguments of Mr. A.P. MUTHU PANDIAN, Advocate for the petitioner and Mr.C.MAYIL VAHANA RAJENDRAN, Additional Public Prosecutor for Respondent this court made the following order:-

This Petition has been filed to relax the condition imposed in M.P(MD)No.1 of 2015 in Crl.A(MD)No.339 of 2017, dated 21.12.2016.



2. Heard Mr.A.P.Muthupandian, learned counsel for the petitioner and Mr.C.Mayilvahan Rajendran, learned Additional Public Prosecutor appearing for the respondent and perused the materials placed before this Court.

3. This Court, by order, dated 21.12.2016 suspend the sentence imposed on the Petitioner with a condition that the Petitioner shall appear before the trial Court daily at 10.30 a.m. Until further orders.

4. Contending that the Petitioner has been complying with the condition regularly for nearly seven months, the present application has been filed seeking to relax the condition.

5. The learned Additional Public Prosecutor appearing for the respondent submitted that the Petitioner is complying with the condition regularly without any default.

6. In view of the above said submission, the condition imposed in M.P(MD)No.1 of 2015 in CrI.A(MD)No.339 of 2017, dated 21.12.2016 is modified to the effect that the Petitioner shall appear before the trial Court on the first working day of every English Calendar month, until further orders.

Sd/-

Assistant Registrar(CS-II)

/Truecopy/

Sub Assistant Registrar

TO

1. THE SESSIONS JUDGE, MAHALIR NEETHIMANDRAM (FAST TRACK MAHILA COURT) THOOTHUKUDI.
2. THE JUDICIAL MAGISTRATE, VILATHIKULAM, THOOTHUKUDI DISTRICT.
3. THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
4. THE SUPERINTENDENT OF PRISON, CENTRAL PRISON, PALAYAMKOTTAI.
5. THE INSPECTOR OF POLICE
VILATHIKULAM POLICE STATION, THOOTHUKUDI DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER DATED : 28/07/2017

ORDER

CRL MP (MD) No. 6516 of 2017

IN

CRL A (MD) No. 339 of 2015

MAS/KK/SAR1:21.08.2017:2P-7C

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