



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2017

CORAM:

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

Crl.O.P.(MD).No.17524 of 2017

Asiabegam

.. Petitioner

Vs.

State rep. by,
The Inspector of Police,
Karur Town Police Station,
Karur.

(In Crime No.868 of 2003)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to set aside the order, dated 08.12.2017 made in Crl.M.P.No.1032/2017, on the file of the learned Principal Sessions Judge, Karur and consequently, relax the condition imposed in Crl.M.P.No.871 of 2017, dated 30.10.2017, on the file of the learned Principal Sessions Judge, Karur.

For Petitioner : Mr.M.Shakul Hameed

For Respondent : Mr.K.Anbarasan

Government Advocate (Crl.side)

ORDER

This petition has been filed to set aside the order, dated 08.12.2017, made in Crl.M.P.No.1032 of 2017, on the file of the learned Principal Sessions Judge, Karur and consequently relax the condition imposed in Crl.M.P.No.871 of 2017, dated 30.10.2017, on the file of the learned Principal Sessions Judge, Karur.

2. The learned counsel for the petitioner submitted that the petitioner was implicated for the offences under Sections 406, 420 and 506(i) of IPC., in Crime No.868 of 2003, on the file of the respondent police. While granting bail to the petitioner in Cr.M.P.No.807 of 2017, on 12.10.2017, the Court below directed the petitioner to appear before the learned Judicial Magistrate No.I Karur, once in a week, i.e., on every Monday at 10.30 a.m. apart from the hearing dates of the case until further order. Subsequently, she filed a relaxation petition in Cr.M.P.No.871 of 2017 and the Court below, by order, dated 30.10.2017, modified the condition already imposed on the petitioner to the effect that the



petitioner shall appear before the learned Judicial Magistrate No.I, Karur, once in a week, i.e., on every Thursday, until further orders. Subsequently, the petitioner filed another modification petition in CrI.M.P.No.1032 of 2017 and by order dated 08.12.2017, the Court below considering the fact that the case has reached the final stage and also considering the nature of offence, dismissed the petition.

3. On perusal of the records, it is clear that initial order was passed on 12.10.2017, thereafter the petitioner filed two modification petitions before the Court below. This shows that the petitioner not even comply the condition for a period of six weeks. Further, the Sessions Court also dismissed her modification petition on the ground that the case has reached the final stage and her appearance is necessary for completing the trial.

4. Considering the facts and circumstances of the case and also considering the fact that the presence of the petitioner is necessary at the final stage of hearing, I do not find any error in the order passed by the Court below. Hence, I am not inclined to relax the condition imposed on the petitioner and accordingly this petition is dismissed.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub Assistant Registrar

PJL

TO

1 THE PRINCIPAL SESSIONS JUDGE,
KARUR

2 THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

JAM/04/01/2018/PM-PN/ SAR 4 / 2P-4C

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