



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE B.GOKULDAS

Crl.R.C.(MD).No.49 of 2017

K.Subramaniam

.. Revision Petitioner/A2

Vs.

The State rep. by

The Deputy Superintendent of Police,

Lalgudi Range,

In Siruganur PS Cr.No.91 of 2016... Respondent/Complainant

Prayer:- Criminal Original Petition is filed under Section 397 r/w 401 of Cr.P.C. to call for the records and set aside the order passed by the 1st Additional District Judge, (PCR) Tiruchirappalli, in Cr.M.P.No.669 of 2016, dated 27.12.2016 by allowing this revision petition and pleased to totally relax the condition imposed on the petitioner.

For Petitioner :Mr.R.S.Sivaram

For Respondent :Mrs.S.Prabha
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition is filed to call for the records in Cr.M.P.No.669 of 2016, dated 27.12.2016 on the file of the learned I Additional District Judge, (PCR), Tiruchirappalli, and set aside the same.

2. The learned counsel for the petitioner submitted that the petitioner filed a petition in Cr.M.P.No.669 of 2016 to relax the condition imposed on him under Section 439(ii) Cr.P.C. The learned Trial Judge, considering the fact that the investigation is pending, dismissed the petition vide order, dated 27.12.2016. Aggrieved against the said order, the petitioner is before this Court. He further submitted that the condition imposed on co-accused/A1 was totally relaxed by this Court in Crl.O.P.(MD). No.11948 of 2016, vide order dated 18.07.2016.

3. The learned Government Advocate (Criminal Side) submitted that <https://hseervices.ecourts.gov.in/hseervices/> after investigation, the respondent police now filed charge sheet, but the same not yet taken cognizance by the Trial Court and she



further submitted that there is no adverse remarks against the petitioner.

4. Considering the fact that investigation is completed and charge sheet also filed and there is no adverse remarks against the petitioner, the criminal revision case is allowed and the order passed by the learned I Additional District Judge (PCR), Tiruchirappalli, in Cr.M.P.No.669 of 2016, dated 27.12.2016 is set aside. The condition imposed on the petitioner by the Trial Court is completely relaxed on the condition that the petitioner shall appear before the Trial Court as and when required.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

jikr

To

1.The I Additional District Judge (PCR), Tiruchirappalli.

2.The Deputy Superintendent of Police,
Lalgudi Range, In Siruganur PS.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.R.S.Sivaraman, Advocate Sr.No.2765

GJM/CM/MSA/SAR-2-30.1.17-2p-5C

Cr1.R.C.(MD).No.49 of 2017
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