



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

Tuesday, the Ninth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL MP(MD) No.105 of 2018
IN
CRL RC(MD) No.782 of 2016

K.M.SALEEM KHAN

... PETITIONER /REVISION PETITIONER /
APPELLANT / ACCUSED No.3

Vs

THE STATE REPRESENTED BY ITS
THE INSPECTOR OF POLICE
INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
SIVAGANGAI,
(CR.NO.15 OF 2006)

... RESPONDENT /REVISION RESPONDENT /
RESPONDENT / COMPLAINANT

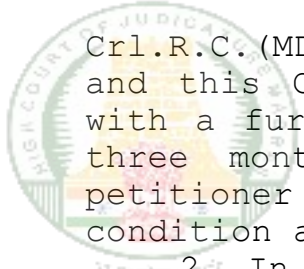
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to relax the condition imposed on the petitioners by this Honourable Court in Crl.M.P.(MD).No. 1736 of 2017 in Crl.R.C.(MD).No. 782 of 2016 dated 02.03.2017 on the file of this Honourable Court

PRAYER IN CRL RC(MD) No.782 of 2016:-

to admit this revision on file, to call for the records from the lower court and to duly set aside the orders passed by the Learned Mahila Court(Fast Track), Sivagangai, Sivagangai District in C.A.No.20/2014 dated 04.11.2016 confirming the conviction and sentence passed by the Judicial Magistrate No.2, Sivagangai, Sivagangai District in C.C.No.40/2012 dated 27.03.2014 by allowing this revision and pass such other or further orders as this Hon'ble Court.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.V.MUTHUMANI, Advocate for the petitioner and of Mr.M.ASOKAN, Government Advocate on behalf of the Respondent, the court made the following order:-

The petitioner was convicted and sentenced by the trial Court, aggrieved by which, the petitioner has filed Crl.R.C.(MD)No.782 of 2016 and this Court, in Crl.M.P.(MD).No.11231 of 2016 was pleased to suspend the sentence and release the petitioner on bail on 17.11.2016 on condition that he shall appear before the trial Court on the first working day of every month at 10.30 a.m., until further orders. The petitioner filed Crl.M.P.(MD)No.1736 of 2017 in



CrI.R.C.(MD)No.782 of 2016 seeking relaxation of the said condition and this Court, by order dated 02.03.2017, relaxed the condition with a further direction to report before the trial Court once in three months at 10.30 a.m., until further orders. Now, the petitioner has filed the present petition for relaxation of that condition also.

2. In the opinion of this Court, relaxation of the condition, as sought for by the petitioner, cannot be granted, because, if the Criminal Revision Case is dismissed, the petitioner must be available to undergo imprisonment. Hence, this petition is dismissed with liberty to the petitioner to file an application under Section 317 Cr.P.C., giving reasons for his absence before the trial Court, if, on any date, he is not able to appear before the trial Court and the petitioner should appear before the trial Court on another date, as directed by the trial Court, in lieu of date of his absence.

sd/-
09/01/2018

/ TRUE COPY /

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

TO

- 1 THE JUDGE, MAHILA COURT,
(FAST TRACK), SIVAGANGAI, SIVAGANGAI DISTRICT
- 2 THE JUDICIAL MAGISTRATE NO.2,
SIVAGANGAI, SIVAGANGAI DISTRICT
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT
- 4 THE INSPECTOR OF POLICE
INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
SIVAGANGAI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. C.C. to Mr.R.SENTHIL KUMAR Advocate SR.No.508

JAM/23/01/2018/CM-VR/ SAR 1/ 2p-7c

ORDER
IN
CRL MP(MD) No.105 of 2018
IN
CRL RC(MD) No.782 of 2016
Date :09/01/2018