



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

Friday, the Ninth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL MP (MD) No.1840 of 2018
IN
CRL A (MD) No.206 of 2017

PALANISAMY

... PETITIONER/APPELLANT/
SOLE ACCUSED

Vs

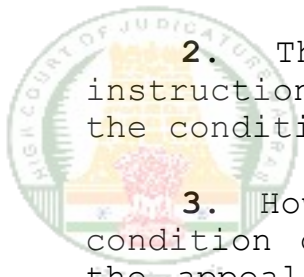
STATE, REP.BY
THE DEPUTY SUPERINTENDENT OF
POLICE, MUTHUKULATHUR SUB-DIVISION,
PARAMAKUDI TALUK POLICE STATION,
(CRIME NO. 146 OF 2011)

... 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 in the bail order, dated 03.07.2017, in Crl.M.P.No. 5638 of 2017 in Crl.A. (MD).No. 206 of 2017 pending disposal of the instant Criminal Appeal

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.G.MUTHARASU, Advocate for the petitioner and of MRS.S.BHARATHI, Government Advocate (Crl.Side) for the Respondent the court made the following order:-

The petitioner was convicted in Special S.C.No.28 of 2014 by the Principal District and Sessions Judge, Ramanathapuram for the offences under Section 355 I.P.C. and Section 3(1)(x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and a maximum sentence of 5 years has been imposed. Challenging, the conviction and sentence, the petitioner has filed Crl.A.(MD) No.206 of 2017 and in Crl.M.P.(MD) No.5638 of 2017, this Court by order dated 03.07.2018, has suspended the sentence and has directed the release of the petitioner on bail on certain conditions, one of which is that the petitioner shall report before the Judicial Magistrate, Paramakudi on the first working day of every English Calender month at 10.30 a.m. until further orders. The petitioner has filed the present petition seeking for relaxation of the aforesaid conditions.



2. The learned Government Advocate (Criminal side) on instructions submitted that the petitioner has been complying with the conditions till date.

3. However, this Court is of the view that the aforesaid condition cannot be completely relaxed because pending disposal of the appeal the petitioner must appear before the learned Judicial Magistrate, Paramakudi once in a month so that if the appeal is dismissed, the petitioner will have to be taken into custody. However, if the petitioner is not able to appear before the said Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C., and shall appear before the said Court on any other day in lieu of the date of his absence, as directed by the said Court.

sd/-
09/03/2018

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
RAMANATHAPURAM
- 2 THE JUDICIAL MAGISTRATE, PARAMAKUDI
- 3 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
- 4 THE DEPUTY SUPERINTENDENT OF POLICE,
MUTHUKULATHUR SUB-DIVISION,
PARAMAKUDI TALUK POLICE STATION, PARAMAKUDI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.G.MUTHARASU Advocate SR.No.3816

GJM/MM/PN/SAR-3-13.3.18-2P-7C

ORDER
IN
CRL MP (MD) No.1840 of 2018
IN
CRL A (MD) No.206 of 2017
Date :09/03/2018