



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

Tuesday, the Second day of January Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL MP (MD) No.11337 of 2017

IN

CRL RC (MD) No.644 of 2017

VENKAT,

... PETITIONER/PETITIONER

Vs

RAMAMOORTHY

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to relax the condition imposed upon the petitioner in Crl MP.No.7264/2017 in Crl.RC.No.644/2017 dated 10.08.2017 that the Petitioner shall report before the Fast Track Court/ Judicial Magistrate, Karaikudi on the 1st working day of every English Calender month at 10.30 a.m until further orders and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.M.SUBASH BABU, Advocate for the petitioner and of MR.K.N.GOVARDHANAN, Advocate for the respondent, the court made the following order:-

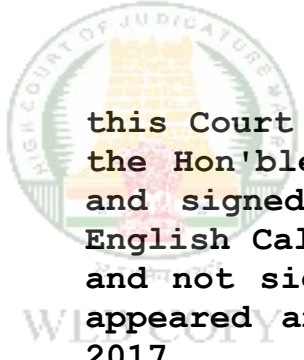
In Crl.M.P.(MD)No.7264 of 2017 in Crl.R.C.(MD)No.644 of 2017, this Court released the petitioner on revision bail on condition that he should appear before the Trial Court at 10.30 a.m., on the first working day of every English Calendar month till the disposal of the Criminal Revision Case or until further orders.

2. The present petition has been filed by the petitioner for relaxation of the said condition.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

4. The learned Judicial Magistrate, Karaikudi, has sent a report dated 21.12.2017, wherein it is stated as follows:

"I humbly submit that, as per the order of the Hon'ble High Court of Madras, Madurai Bench in reference cited 1 above, the accused of Venkat in Case No.CC 142 of 2012 is surrendered before



this Court on 29.08.2017 and furnished sureties. As per the order of the Hon'ble High Court of Madras, Madurai Bench he should appeared and signed before this Court on the first working day of every English Calendar month at 10.30 a.m. But the accused is not appeared and not signed for the months of September and October 2017. He is appeared and signed only for the months of November and December 2017.

This is for favour of your kind information."

5. Thus, from the reading of the above report, it is seen that the petitioner has not complied with the condition and has not appeared before the learned Magistrate in September and October, 2017. Under such circumstances, the condition cannot be relaxed. Hence, this Petition is dismissed. However, the petitioner is directed to comply with the condition imposed by this Court, by order dated 10.08.2017 and on any date, if he is not able to appear, liberty is given to file an application under Section 317 of the Code of Criminal Procedure giving reasons for his absence. The petitioner, whose absence has been condoned, shall appear before the Trial Court on any other day, as directed by the Trial Court, in lieu of the date of his absence.

sd/-
02/01/2018

/ TRUE COPY /

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

TO

- 1 THE DISTRICT AND SESSIONS JUDGE, SIVAGANGAI.
 - 2 THE FAST TRACK COURT/JUDICIAL MAGISTRATE, KARAIKUDI.
 - 3 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- +1. C.C. to M/S.M.SUBASH BABU Advocate SR.No.47

ORDER
IN
CRL MP(MD) No.11337 of 2017
IN
CRL RC(MD) No.644 of 2017
Date :02/01/2018