



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

Tuesday, the Tenth day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL MP(MD) No.2662 of 2018

IN

CRL OP(MD) No.9138 of 2017

MOHAMED HANIFA @ THENKASI HANIFA

... PETITIONER / PETITIONER

Vs

STATE THROUGH

THE ADDITIONAL SUPERINTENDENT OF POLICE,
SPECIAL INVESTIGATION DIVISION,
CBCID, COIMBATORE,
(IN CR.NO.240/2013)

ON THE FILE OF THE BATLAGUNDU
POLICE STATION)

... RESPONDENT / RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to relax the condition totally imposed by this Honourable Court in Crl.OP(MD)No.9138/2017.

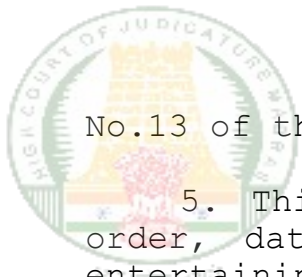
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.S.M.A.JINNAH, Advocate for the petitioner and of M/S.M.ANANTHA DEVI, Government Advocate(Crl.Side) on behalf of the Respondent, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to relax the condition imposed in CRL OP(MD)No.9138 of 2017, dated 15.09.2017.

2. Heard both sides.

3. This Court while granting bail to the petitioner on 15.09.2017 made it clear that no Relaxation/Modification will be entertained by this Court till the completion of trial.

4. The learned counsel appearing for the petitioner, however, contended that such a stringent direction was issued with the hope that the trial will be concluded within a period of two months. Now, more than 8 months have elapsed and the case is yet to be concluded. He, therefore, pointed out that the inhibition set out in Paragraph



No.13 of the order cannot govern any more.

5. This Court is unable to agree. In Paragraph No.13 of the order, dated 15.09.2017, this Court has given direction against entertaining Relaxation / Modification Petition. Therefore, this petition for Relaxation / Modification is liable to be dismissed as not maintainable.

6. It is stated by the learned Government Advocate(Criminal Side) appearing for the state before this Court that the Investigating Officer is to be examined on 23.04.2018 and that there is every possibility for concluding the trial within two months from today.

7. Recording the said submission, this Criminal Miscellaneous Petition is dismissed as not maintainable.

sd/-
10/04/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE,
NILAKOTTAI, DINDIGUL DISTRICT
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT
- 3 THE PRINCIPAL SESSIONS JUDGE, DINDIGUL
- 4 THE ADDITIONAL SUPERINTENDENT OF POLICE,
SPECIAL INVESTIGATION DIVISION,
CBCID, COIMBATORE, ON THE FILE OF THE
BATLAGUNDU POLICE STATION)
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. C.C. to M/S.S.M.A.JINNAH Advocate SR.No.5876

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JAM/12/04/2018/ PN-KAK /VK/ 2p-7c

ORDER IN
CRL MP(MD) No.2662 of 2018
IN
CRL OP(MD) No.9138 of 2017
Date :10/04/2018