

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventeenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.7503 of 2019

IN CRL RC.13/2019

M.RUBESHWARAN

[PETITIONER]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
N-2, KASIMEDU TRAFFIC INVESTIGATION,
ROYAPURAM,
CHENNAI-600 013.

Petition praying that in the circumstances stated therein the High Court will be pleased to relax the condition totally imposed on the petitioners that he should appear before the III Metropolitan Magistrate Court, George Town, Chennai in Crl.MP.No.83 of 2019 dt.7.1.2019 in Crl.RC.No.13 of 2019.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.R.C.PAUL KANAKARAJ Advocate for the petitioner and of MR.KRITIKA KAMAL.P Government Advocate[crl.side] on behalf of the Respondent the court made the following order:-

The petitioner was convicted and sentenced in C.C.No.3243 of 2017 by the III Metropolitan Magistrate, George Town Court, Chennai for the offence under Section 304A IPC. Crl.A.No.312 of 2018 filed by the petitioner before the Court of Session was dismissed by the XV Additional Sessions Judge, Chennai on 12.09.2018, challenging which, the petitioner has filed the present revision petition. While admitting the revision petition, this Court in Crl.M.P.No.83 of 2019 in Crl.R.C.No.13 of 2019, suspended the sentence and released the petitioner on bail, by order dated 07.01.2019, on various conditions, one of which is that the petitioner shall appear before the trial Court daily at 10.30 a.m. until the disposal of the revision petition. While so, the present petition has been filed for relaxation of the said condition.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

3.Ms.P.Kritika Kamal, learned Government Advocate (Crl. Side) submitted that the petitioner has been complying with the above condition from 12.01.2019.

4. In view of the above, the aforesaid condition is relaxed and the petitioner is directed to appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the revision petition. On any particular date if the petitioner is not able to appear, leave is granted to the petitioner to file an application under Section 317 Cr.P.C. and appear before the Magistrate on any other day as determined by the Magistrate in lieu of the day on which the petitioner is absent.

With the above modification, this petition is ordered.

-sd/-

17/06/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 XV ADDITIONAL SESSIONS JUDGE
CHENNAI

2 THE METROPOLITAN MAGISTRATE,
COURT NO.III, GEORGE TOWN, CHENNAI

3 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE [FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
N-2, KASIMEDU TRAFFIC INVESTIGATION,
ROYAPURAM, CHENNAI-600 013.

+1 C.C. to M/S.R.C. PAUL KANAKARAJ Advocate on payment of
necessary charges SR.NO. 11869

Order

in
CRL MP.7503/2019

in
CRL RC.13/2019

Date : 17/06/2019

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RD 19/06/2019