

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Ninth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.8994 of 2019

IN CRL A.746/2018

1 N.ETHIRAJ
2 N.PADMARAJ

[PETITIONERS / APPELLANTS / RESPONDENTS]

Vs

1 STATE REP. BY
SUB-INSPECTOR OF POLICE,
ERUMAPATTI POLICE STATION,
NAMAKKAL DISTRICT
CRIME NO.223 OF 2009.

[RESPONDENT]

2 SUGANTHI

[RESPONDENT / APPELLANT /
PW1 DEFACTO COMPLAINANT]

Petition praying that in the circumstances stated therein the High Court will be pleased to relax the condition that petitioners shall appear before the trial court monthly at 10.30 a.m. till the disposal of the criminal appeal by this Honourable Court by its order dated 26.11.2018 in Crl.M.P.No.15740 of 2018 in Crl.A.No.746 of 2018

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.P.PALANINATHAN, Advocate for the petitioner and of MR.G.RAMAR, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

Suspension of sentence and bail was granted to the petitioners in Crl.M.P.No.15740 of 2018 in Crl.A.No.746 of 2018 on 26.11.2018 on various conditions, one of which is that the petitioners shall report before the trial Court on every first working day of every month at 10.30 a.m. until further orders. This petition has been filed for modification of the said condition.

2. In the opinion of this Court, the aforesaid condition cannot be modified, since the petitioners should be available to undergo the sentence, in the event of the appeal being dismissed. However, if they are not able to appear before the trial Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of their absence, as directed by the trial Court.

In the result, this petition is dismissed.

-sd/-

09/07/2019

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 THE JUDICIAL MAGISTRATE,
NO.I, NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE,
NAMAKKAL [FOR INFORMATION]

3 THE SESSIONS [FAST TRACK MAHILA] JUDGE,
NAMAKKAL.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUB-INSPECTOR OF POLICE,
ERUMAPATTI POLICE STATION,
NAMAKKAL DISTRICT.

+1C.C. to M/S.P.PALANINATHAN Advocate on payment of necessary
charges SR NO.13944

Order

in
CRL MP.8994/2019

in
CRL A.746/2018

Date :09/07/2019

From 7.2.2001 the Registry is issuing certified
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