

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fifteenth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.9226 of 2019

in CRL RC.No.542 of 2018

ABDUL AZIZ

[PETITIONER]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ERODE TOWN POLICE STATION,
ERODE DISTRICT.
CR.NO.28 OF 1994,

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to condone his failure to comply with the condition from the Month of February, 2019, to report before the learned Judicial Magistrate No.3, Erode on the first working day of every month at 10.30 am as imposed in the order of suspension dated 27.04.2018 in Crl.M.P.No.6427 of 2018 in Crl.R.C.No.542/2018.

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

This petition is filed seeking to condone the failure to comply with the condition imposed by this Court on 27.04.2018 in Crl.M.P.No.6427 of 2018 in Crl.R.C.No.542 of 2018.

2. This Court, by order dated 27.04.2018, suspended the sentence and released the petitioner on bail on certain conditions, one of which is that the petitioner should report before the Trial Court on the first working day of every month at 10.30 a.m., pending disposal of the revision.

3. The petitioner was complying with the above condition from July 2018. However, the petitioner was convicted and sentenced in C.C.Nos.8 & 10 of 2010 by the II Additional District Court for CBI cases, Madurai, on account of which, the petitioner was in incarceration till 11.06.2019. When he was granted suspension of sentence and bail in those cases by this Court, the petitioner was not able to comply with the condition imposed by this Court in Crl.M.P.Nos.6427 & 6429 of 2018 on 27.04.2018.

In view of the above, the failure to comply with the condition from February 2019 to July 2019 imposed by this Court on 27.04.2018 in Crl.M.P.No.6427 of 2018 in Crl.R.C.No.542 of 2018 stands condoned and accordingly, this petition is allowed.

-sd/-

15/07/2019

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.III, ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ERODE TOWN POLICE STATION, ERODE DISTRICT.

5 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE, ERODE.

6 II ADDITIONAL DISTRICT COURT
FOR CBI CASES, MADURAI.

C.C. to M/S.MANOHARAN N. Advocate on payment of necessary charges Sr.14440

Order

in
CRL MP.9226/2019

in CRL RC.No.542 of 2018

Date :15/07/2019

From 7.2.2001 the Registry is issuing certified copies of the BAIL/Anti.BAIL Orders in this format

RVR 30/07/2019