



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

Wednesday, the Sixteenth day of December Two Thousand and Twenty

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL MP(MD) No.6515 of 2020
IN
CRL RC(MD) No.617 of 2019

JAYARAJ

... PETITIONER

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(IN CRIME NO.31 OF 2007)

... RESPONDENT

PRAYER IN CRL MP(MD) No.6515 of 2020 IN CRL RC(MD) No.617 of 2019

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition imposed upon the petitioner vide order dated 15.10.2019 made in Crl.M.P.(MD)No.8540 of 2019 in Crl.R.C.(MD)No.617 of 2019, on the file of this Hon`ble Court.

PRAYER IN Crl.M.P.(MD)No.8540 of 2019 in Crl.R.C.(MD)No.617 of 2019:

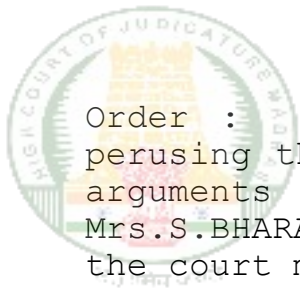
To modify the condition imposed in CRL.M.P.(MD) No.7597 of 2019 in CRL.RC.(MD) No.617 of 2019 on 28.08.2019 and permit the petitioner to appear before the Judicial Magistrate Court, Aruppukottai on 1st working day of every month instead of appeal before the said Court daily at 10.30 A.M.

PRAYER IN CRL.M.P.(MD)No.7597 of 2019 in CRL.RC.(MD) No.617 of 2019:

to suspend the sentence imposed by the Additional District and Sessions Court, Virudhunagar in CRL.A.No.28 of 2016 dated 02.08.2019 in confirming the conviction and sentence imposed by the Judicial Magistrate Court, Aruppukottai in C.C.No.289 of 2007 on 02.03.2010.

PRAYER IN CRL.RC.(MD) No.617 of 2019:

To call for the records and set aside the conviction and sentence imposed by the Additional District and Sessions Court, Virudhunagar in Crl.A.No.28 of 2016 on 02.08.2019 in confirming the conviction and sentence imposed by the Judicial Magistrate Court, Aruppukottai in C.C.No.289 of 2007 on 02.03.2010 and allow this Criminal Revision Petition.



Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.M.RAMESH, Advocate for the petitioner and of Mrs.S.BHARATHI, Government Advocate on behalf of the Respondents the court made the following order:-

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This petition has been filed to relax the condition imposed by this Court in CrI.M.P.(MD)No.8540 of 2019 in CrI.R.C.(MD)No.617 of 2019 dated 15.10.2019.

2.On the side of the petitioner, it is stated that this Court in earlier order modified the order passed in CrI.R.C.(MD)No.617 of 2019, directing the petitioner to appear before the learned Judicial Magistrate, Aruppukottai, at 10.30 a.m., on the first working day of every english calender month. It is stated that the petitioner is complying the condition for the past one year and prayed the petition to be allowed.

3.The learned Additional Public Prosecutor appearing for the respondent submitted that the condition imposed by this Court was modified directing the petitioner has to sign before the learned Judicial Magistrate, Aruppukottai once in a month. The petitioner is complying the condition only from 01.11.2019 till 02.03.2020 and thereafter he did not comply the condition.

4.In view of the aforesaid submission, this Court is of the view that the petitioner has complied the condition till 02.03.2020 and thereafter, he failed to comply the condition imposed by the Court.

5.Hence, the petitioner failed to comply the condition. This Criminal Miscellaneous Petition is dismissed.

sd/-
16/12/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
VIRUDHUNAGAR

2 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI

3 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILIPUTTUR.



4 THE SUB INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL MP (MD) No.6515 of 2020

IN

CRL RC (MD) No.617 of 2019

Date :16/12/2020

MS/PN/SAR-3/21.12.2020/3P.6C