



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fourteenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.9211 of 2021

IN CRL.A.NO.824 of 2018

N.SOUNDARARAJAN

[PETITIONER/APPELLANT/ACCUSED]

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVANNAMALAI.
CRIME NO. 5 OF 2013.

[RESPONDENT/COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to relax the condition "(d) The petitioner/Accused shall appear before the Trial Court at 10.30 a.m. on the first working day of every month, until the disposal of the appeal and if he is not able to appear before the Trial Court on any day, due to unavoidable cricumstances, he shall make arrangements to file an application under section 317 of Cr.P.C. and shall appear before the Trial Court on any other day in lieu of his absence, as directed by the Trial Court. Such an application shall not be entertained often" imposed on the petitioner in Crl.M.P.No.492 of 2020 in Crl.A. No. 824 of 2018 order dated 06.07.2020 on the file of this Hon'ble Court.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.M.KRISHNAMOORTHY, Advocate for the Petitioner and of M/S.R.VINOTHRAJA, Government Advocate on behalf of the Respondent the court made the following order:-

The matter is heard through "Video Conference".

2. This petition is filed to relaxation.



3. By an order dated 06.07.2020 made in Crl.M.P.No.492 of 2020 in Crl.A.No.824 of 2020, pending appeal, the sentence imposed in Special S.C.No.18 of 2016, was suspended on certain conditions:-

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a) Since the petitioner has deposited a sum of Rs.4,00,000/- (Rupees Four Lakhs only) as ordered by this Court, the Court below shall redeposit the said amount in a fixed deposit account in any nationalized bank, which shall be renewed periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Appeal.

b) The petitioner/accused is ordered to be released on bail, on his executing a bond for a sum of Rs.10,000/- (Repeen Ten Thousand only) with two sureties of whom, one should be a blood relative, each for a like sum to the satisfaction of the Sessions Judge and Fast Track Mahila Court, Tiruvannamalai.

3. The conviction is for the offence under Section 4 of POCSO Act, 2012 and was sentenced to undergo rigorous imprisonment for a period of seven years and to pay a fine of Rs.10,000/-. The present condition is to appear before the trial Court once in every month and due to unavoidable circumstances, he shall make arrangements to file an application under Section 317 of Cr.P.C., I do not find any condition is onerousness.

4. Accordingly, this criminal miscellaneous petition is dismissed.

-sd/-

14/09/2021

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 SESSIONS JUDGE AND FAST TRACK MAHILA COURT,
TIRUVANNAMALAI.

2 THE SESSIONS JUDGE,
ADDITIONAL FAST TRACK MAHILA COURT, TIRUVANNAMALAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVANNAMALAI.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

6 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

C.C. to M/S.M.KRISHNAMOORTHY Advocate on payment of necessary
charges

Order

in
CRL MP.9211/2021
in
CRL A.824/2018

Date :14/09/2021

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RW 22/10/2021