



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

Tuesday, the Sixteenth day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM
and
The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.1097 of 2021
in
Crl.A(MD)No.194 of 2020

B.PRABHU

... PETITIONER/ PETITIONER/
APPELLANT/9th ACCUSED

-Vs-

THE STATE REP. BY
THE INSPECTOR OF POLICE
THIRUPPACHETI POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.124 OF 2010)

...RESPONDENT/ RESPONDENT/
RESPONDENT/COMPLAINANT

PRAYER IN CRL MP(MD) No.1097 of 2021 in Crl.A(MD)No.194 of 2020:

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to relax the condition imposed by this Hon'ble Court dated 31.07.2020 in Crl.MP.(MD).No.3255 of 2020 in Crl.A.(MD).No.194 of 2020.

Prayer in Crl.MP.(MD).No.3255 of 2020 in Crl.A.(MD).No.194 of 2020:

To suspend the sentence and conviction imposed by the Principal Sessions Judge, Sivagangai, Sivagangai dated 27.02.2020 made in Special Session Case No.105 of 2012 pending disposal of the Criminal appeal and thus render justice.

Prayer in Crl.A.(MD).No.194 of 2020:

To set aside the judgment dated 27.02.2020 made in S.C.No.105 of 2012 on the file of the learned Principal Sessions Judge, Sivagangai, and allow the above criminal appeal.

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.S.RAMSUNDAR VIJAYRAJ, Advocate for M/S.VEERA ASSOCIATES, for the petitioner and of Mr.R.ANANDHARAJ, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

<https://hcservices.ecourts.gov.in/hcservices/>



This petition has been filed seeking relaxation of the condition imposed by this Court in CrI.M.P(MD)No.3255 of 2020 in CrI.A(MD)No.194 of 2020, dated 31.07.2020.

2.This Court, while granting suspension of sentence to the petitioner vide order, dated 31.07.2020, directed him to stay at Madurai and appear before the learned Judicial Magistrate, Manamadurai on the first working day of every English Calendar month until further orders.

3. It is the submission of the learned counsel appearing for the petitioner that the petitioner has been complying with the condition regularly for the past about 7 months and due to the family circumstances, he prayed for modifying the condition.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would state that the petitioner is regularly complying with the conditions.

5. In respect of the co-accused, the same condition imposed on him was relaxed by this Court in CrI.M.P(MD)No.531 of 2021 in CrI.A (MD)No.139 of 2020, dated 27.01.2021.

6. Considering the facts and circumstances of the case, we are inclined to modify the condition Nos.iii and iv imposed vide order dated 31.07.2020 to the effect that the petitioner shall report before the learned Judicial Magistrate, Manamadurai, on the first working day of every English Calender month, at 10.30 a.m., until further orders.

sd/-
16/02/2021

/ TRUE COPY /

/ /2021

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

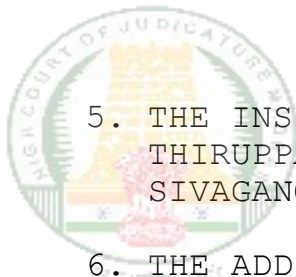
TO

1. THE PRINCIPAL SESSIONS JUDGE, SIVAGANGAI.

2. THE JUDICIAL MAGISTRATE, MANAMADURAI.

3. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

4. THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.



5. THE INSPECTOR OF POLICE,
THIRUPPACHETI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-1087[I] dated
17/02/2021)

ORDER

IN

CRL MP(MD) No.1097 of 2021 in
Crl.A(MD)No.194 of 2020

Date :16/02/2021

am

MS/PN/SAR-4/23.02.2021/3P.8C