



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

Monday, the Twenty Sixth day of April Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL MP(MD) No.2086 of 2021
in
Crl.R.C.(MD) No.556 of 2017

SAKTHIVEL

... PETITIONER/ PETITIONER/
PETITIONER

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
WATRAP CIRCLE,
NATHAMPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.67 OF 2008.

... RESPONDENT/ RESPONDENT/
RESPONDENT

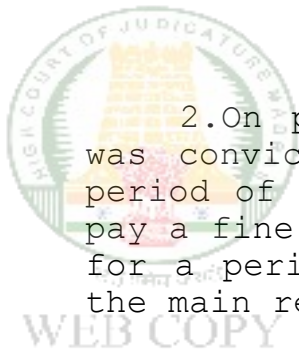
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to relax the condition imposed on the petitioner in Crl.MP.(MD).No.6197 of 2017 in Crl.RC.(MD).No.556 of 2017 dated 17.7.2017.

PRAYER IN Crl.R.C.(MD) No.556 of 2017:

To call for the records pertaining to the impugned judgment of conviction and sentence passed by the learned Principal District Judge, Virudhunagar District at Srivilliputhur dated 17.05.2017 made in Crl.A.No.27 of 2009 confirming the judgment of conviction and sentence passed by the learned Judicial Magistrate No.1, Srivilliputhur made in C.C.No.40 of 2008 dated 12.02.2009 and set aside the same allow the above 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.A.MITHUN CHAKRAVARTHI, Advocate for the petitioner and of Mr.A.P.G.OHM CHAIRMA PRABHU, Government Advocate(Criminal Side) on behalf of the Respondent, the court made the following order:-

This Miscellaneous Petition had been filed to relax the conditions imposed on the petitioner in Crl.M.P.(MD) No.6197 of 2017 in Crl.R.C.(MD) No.556 of 2017 dated 17.07.2017.



2. On perusal of the records, it is found that the petitioner was convicted and sentenced to undergo simple imprisonment for a period of 1 year for the offence under Section 304-A of IPC and to pay a fine of Rs.3,000/-, in default, to undergo simple imprisonment for a period of 3 months. Against which, the petitioner had filed the main revision case.

3. During the pendency of the revision, the petitioner had filed Crl.M.P.(MD) No.6197 of 2017 before this Court to suspend the sentence imposed on him. Thereafter, the petitioner was granted bail by this Court on condition that he has to execute a bond of Rs.10,000/- and two sureties each for the like sum to the satisfaction of learned Judicial Magistrate No.1, Srivilliputhur with a further condition that he has to report before the said Court on the 1st working day of every English Calendar month at 10.30 A.M., till the disposal of the revision.

4. The petitioner has complied with the directions imposed on him in Crl.M.P.(MD) No.6197 of 2017 and now, he has filed the present miscellaneous petition to relax the conditions imposed on him.

5. The case is of the year 2017 and now we are in 2021 and though the petitioner has complied with the directions issued by this Court in Crl.M.P.(MD) No.6197 of 2017 dated 17.07.2017. Instead of prosecuting the main case effectively by the learned counsel for the petitioner, the learned counsel prays this Court that appropriate orders may be passed by this Court for allowing this petition, which action, in the opinion of this Court, is protracting the proceedings and thereby delaying the disposal of the case. Hence, this Court is not inclined to entertain this petition and accordingly, this petition stands dismissed.

6. Call the main case on 17.06.2021. The learned counsel for the petitioner on record is directed to put forth his arguments by 17.06.2021, failing which, the bail granted to the petitioner will be cancelled and warrant will be issued against him and the Court will be forced to engage a legal aid counsel from the Legal Services Committee attached to this Bench on behalf of the petitioner to prosecute the case effectively, enabling this Court to dispose of the case at the earliest. No further adjournment will be granted.

sd/-
26/04/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

2 THE JUDICIAL MAGISTRATE NO.1,
SRIVILLIPUTHUR.

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

4 THE INSPECTOR OF POLICE
WATRAP CIRCLE,
NATHAMPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER

IN

CRL MP(MD) No.2086 of 2021 in

CrI.R.C.(MD) No.556 of 2017

Date :26/04/2021

mm

MS/AKM/SAR-3/16.06.2021/3P.6C