



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

Thursday, the Third day of June 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.3585 of 2021
in
Crl.A.(MD) No.477 of 2019

1 REJI
2 SHAJI

... PETITIONERS/ PETITIONERS/
APPELLANTS/ ACCUSED 1 & 2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.453 OF 2014)

... RESPONDENT/ RESPONDENT/
RESPONDENT/ COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to restore the suspension of sentence and bail petition in Crl.MP.No.7728 of 2020 in Crl.A(MD)No.477 of 2019, dated 04.03.2021.

Prayer in Crl.MP(MD).No.7728 of 2020:

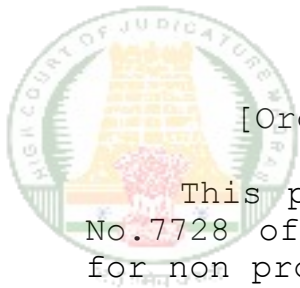
To suspend the sentence made in S.C.No.112 of 2015 dated 27.08.2019 on the file of the Additional District and Sessions Judge, (Fast Track Court)Nagercoil and enlarge the petitioners on bail disposal of the above Criminal Appeal before this Hon`ble Court.

Prayer in CRL A(MD) No.477 of 2019:

To call for the records and set aside the judgment dated 27.08.2019 made in S.C.No.112 of 2015 on the file of Additional District Court(Fast Track), Nagercoil.

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.V.BASKARAN, Advocate for the petitioners and of Mr.S.RAVI, Standing Counsel for Government on behalf of the Respondent, the court made the following order:-

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



[Order of the Court was made by **K.KALYANASUNDARAM, J.**]

This petition is filed to restore the petition in Crl.M.P.(MD) No.7728 of 2020 in Crl.A.(MD) No.477 of 2019, which was dismissed for non prosecution on 04.03.2021 by this Court.

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2.Learned Counsel for the petitioner, Mr.V.Baskaran, would submit that the earlier petition in Crl.M.P.(MD) No.7728 of 2020 came to be dismissed for non-appearance of the earlier Counsel and the petitioner is having a bright chance of success in that petition.

3.Learned Standing Counsel for the State, Mr.S.Ravi, has no serious objection to restore Crl.M.P.(MD) No.7728 of 2020, which was dismissed for non-prosecution on 04.03.2021.

4.In view of the above facts, we are inclined to allow this petition. Hence, this petition is allowed and Crl.M.P.(MD) No.7728 of 2020 in Crl.A.(MD) No.477 of 2019 is restored.

5.Post Crl.M.P.(MD) No.7728 of 2020 on 09.06.2021.

sd/-

03/06/2021

/ TRUE COPY /

/ /2021

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.
TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
(FAST TRACK COURT)NAGERCOIL.

2 THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT.

3 THE SUPERINTENDENT,CENTRAL PRISON,
PALAYANKOTTAI.

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

ORDER IN

CRL MP(MD) No.3585 of 2021

in Crl.A.(MD) No.477 of 2019

Date :03/06/2021

mm/cmr

<https://hmcj.csl.nic.in/CaseDetails/18/2021/2P.5C>