



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

Friday, the Ninth day of July Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM
and
The Hon`ble Mr.Justice B.PUGALENDHI

CRL.M.P (MD) NO.4207 of 2021
in
CRL.M.P (MD) NO.6322 of 2020
in
CRL.A (MD) No.346 of 2020

MURUGESAN

... APPELLANT/ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KARIVALAM VANTHANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.52/2015.

... RESPONDENT/COMPLAINANT

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 Honorable Court against the petitioner on 17.12.2020 in Crl.MP.(MD).No.6322 of 2020 in Crl.A.(MD).No.346 of 2020.

PRAYER IN CRL.M.P (MD) NO.6322 of 2020:

To Suspend the sentence imposed against the petitioner in S.C No. 40/2018 on the file of the Honourable IV Additional District and Sessions Court Tirunelveli dated 07.03.2020 and release the petitioner on bail till the disposal of the appeal.

Prayer in CRL A(MD) No.346 of 2020:

To call for the entire records connected to the judgment in S.C.No.40 of 2018 on the file of the Hon'ble IV Additional District and Sessions Court, Tirunelveli dated 07.03.2020 and set aside the conviction and sentence imposed against the appellant.

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.R.ALAGUMANI, Advocate for the petitioner and of Mr.S.RAVI, Standing Counsel for State on behalf of the Respondent, the court made the following order:-



(Order of the Court was made by **K.KALYANASUNDARAM. , J**)

This Petition has been filed seeking to relax the condition imposed by this Court as against the Petitioner in Crl.M.P(MD) No.6322 of 2020 in Crl.A(MD)No.346 of 2020, dated 17.12.2020.

WEB COPY

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.This Court, vide order, dated 17.12.2020, granted bail to the Petitioner with condition that the Petitioner shall stay at Dharmapuri and appear before the learned Judicial Magistrate No.II, Dharmapurai at 10.30 a.m., on all working days, until further orders.

4.Mr.R.Alagumani, learned counsel appearing for the Petitioner would submit that the Petitioner has complied with the condition from 5.2.2021 to 10.5.2021. Subsequently, in view of the Covid-19 pandemic situation, the condition was not complied with and thereafter he started complying with the condition from 29.6.2021.The learned counsel would further state that the Petitioner is a native of Subbulapuram, Tirunelveli District and he finds it difficult to stay at Dharmapuri to comply with the conditions as ordered by this Court.

5.The above statement of the learned counsel appearing for the Petitioner is not seriously disputed by Mr.S.Ravi, learned Counsel representing the State.

6.In view of the above facts, this Court is inclined to modify the condition directing the Petitioner to appear before the Trial Court at 10.30 a.m. on the first working day of every English Calendar month, until further orders.

7.This Petition is ordered accordingly.

sd/-
09/07/2021

/ 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 IV ADDITIONAL DISTRICT AND
SESSIONS COURT, TIRUNELVELI.
- 2 THE JUDICIAL MAGISTRATE,
SANKARANKOVIL.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 4 THE JUDICIAL MAGISTRATE NO.II,
DHARMAPURI.
- 5 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DHARMAPURAI.
- 6 THE INSPECTOR OF POLICE,
KARIVALAM VANTHANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
- 7 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 8 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL.M.P (MD) NO.4207 of 2021
in
CRL.M.P (MD) NO.6322 of 2020
in
CRL.A (MD) No.346 of 2020
Date : 09/07/2021

vsn
MS/VR/SAR-5/16.07.2021/3P.9C