



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

Date : 02/07/2021

PRESENT

**The Hon`ble Mr.Justice G.CHANDRASEKHARAN
CRL OP(MD) . No.8701 of 2021**

WEB COPY

Velusamy,
S/o.Arumugam,
Main Road, East Colony,
Subbalapuram Village,
Sankarankovil Taluk,
Tirunelveli District..

... Petitioner/Accused/Sole

Vs

State represented by
The Inspector of Police,
K.V.Nallur Police Station,
Tirunelveli District
Cr No.67/2021.

... Respondent/Complainant

For Petitioner : M/s.Sivabalan.K,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

PETITION FOR SET ASIDE Under Sec.439(1)(b) of Cr.P.C.

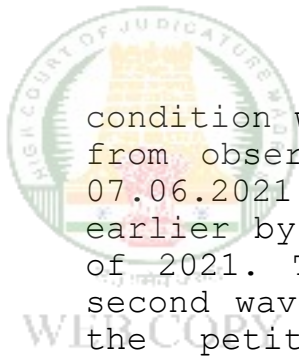
PRAYER :-

To set aside the condition imposed upon the petitioner in
Cr.M.P.No.3292 of 2021 dated 29/04/2021 on the file of the Learned
Principal Sessions Judge, Tirunelveli

ORDER : The Court made the following order :-

This petition has been filed to set aside the order passed by
the learned Principal Sessions Judge, Tirunelveli in Cr.M.P.No.3292
of 2021 dated 29.04.2021.

2. As per the order passed by the learned Principal Sessions
Judge, Tirunelveli in Cr.M.P.No.2419 of 2021 on 25.03.2021 the
petitioner was directed to appear and sign before the respondent
police daily at 10.30 a.m., until further orders. Thereafter the



condition was modified to the effect that the petitioner is exempted from observing the condition till 06.06.2021 and thereafter from 07.06.2021 he shall observe the condition regularly as ordered earlier by the Court vide order dated 29.04.2021 in Cr.M.P.No.3292 of 2021. This modification petition was ordered considering the second wave of corona virus pandemic. Now the learned counsel for the petitioner want to set aside the order passed in Cr.M.P.No.2419 of 2021.

3. The condition modification was ordered by the learned Principal Sessions Judge, Tirunelveli after considering the facts of the case and other relevant materials. In view of the same, this Court is not inclined to entertain this petition. Hence the petition stands dismissed. However, liberty is given to the petitioner to approach the concerned Court and file a fresh application and seek his remedy and if any, such application, is filed, the learned Sessions Judge is directed to consider the pass orders on its own merits and inaccordance with law immediately.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

AAV

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 Principal Sessions Judge, Tirunelveli.
2. The Inspector of Police,
K.V.Nallur Police Station,
Tirunelveli District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

**CRL OP(MD) No.8701 of 2021
02/07/2021**

RD(16.07.2021) 2P 4C