



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

Date : 27/07/2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) . No.9902 of 2021

1. Seenivasan @ Seenikumar
2. Karthik @ Karthick
3. Siva Chellasamy @ Sivasubramanian
4. Ramasamy Ramasubbu @ Ramasamy
5. Seenikumar Vadivel @ Seenikumar
6. Maruthu @ Maruthupandi ... Petitioners/Petitioners

Vs

1. The Deputy Superintendent Of Police,
Sankarankovil, Tenkasi District.
2. The Inspector of Police,
Tiruvengadam Police Station,
Tenkasi District.
3. Murugesan ... Respondents/Respondents

For Petitioners : Mr.R.J.Karthik, Advocate.

For Respondents : Mr.M.Muthumanikkam,
No.1 and 2 Government Advocate (Crl.Side)

PETITION FOR RELAXATION Under Sec.439 R/W.482 of Cr.P.C.

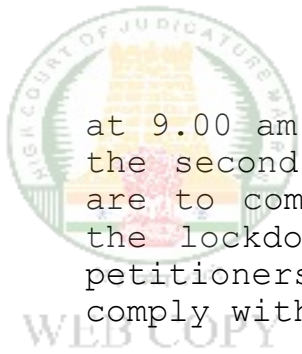
PRAYER :-

To relax the condition 5(IV) imposed against the petitioners in Cr.M.P.No.737 of 2021 on the file of II Additional Sessions Judge, (FAC) Tirunelveli dated 11.05.2021 and thus render justice.

ORDER : The Court made the following order :-

This petition has been filed to relax the condition 5(IV) imposed against the petitioners in Cr.M.P.No.737 of 2021 on the file of learned II Additional Sessions Judge, (FAC) Tirunelveli dated 11.05.2021.

2. The learned counsel for the petitioners would submit that the petitioners were granted bail by the learned II Additional Sessions Judge, (FAC) Tirunelveli dated 11.05.2021 with a direction to petitioners to appear before the Thevarkulam Police Station daily



at 9.00 am., and as there is complete lockdown in this State due to the second wave on being released on bail, the petitioners/accused are to comply with the condition for a period of two months after the lockdown relaxed in full. He would further submit that the petitioners are daily wage coolie employees and they are unable to comply with the conditions, hence he seeks modification.

3. The condition was imposed taking into consideration the nature of offence and the role played by the accused. Therefore this Court is not inclined to interfere with the order passed by the learned II Additional Sessions Judge, (FAC) Tirunelveli.

4. Hence the petition stands dismissed. However liberty is granted to the petitioners to approach the learned II Additional Sessions Judge, (FAC) Tirunelveli with a petition to relax the condition. On such petition being filed the learned Sessions Judge, is directed to consider the same and pass orders on merits and in accordance with law.

sd/-

27/07/2021

/ 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 II ADDITIONAL SESSIONS JUDGE (FAC), TIRUNELVELI.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
SANKARANKOVIL, TENKASI DISTRICT.
3. THE INSPECTOR OF POLICE,
TIRUVENGADAM POLICE STATION, TENKASI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.9902 of 2021

Date : 27/07/2021