



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Twenty Third day of September
Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD) No.6372 of 2021

IN

CRL OP(MD) No.13104 of 2019

BALAMURUGAN @ RAJA

.. PETITIONER/PETITIONER/PETITIONER

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
VARUSANADU POLICE STATION, Q BRANCH,
THENI DISTRICT.
(CRIME NO.111/2007)

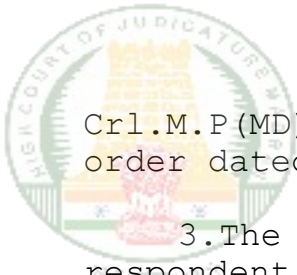
... RESPONDENT/RESPONDENT/RESPONDENT

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.M.P. (MD) No. 4814 of 2020 in Crl.O.P. (MD) No. 13104 of 2019 dated 06.10.2020

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.JAYARAMACHANDRAN.A, Advocate for the petitioner and of MR.P.KOTTAI CHAMY, Government Advocate(Crl. Side) on behalf of the Respondent, the court made the following order:-

This petition has been filed by the petitioner to relax the condition imposed on the petitioner in Crl.M.P(MD)No.4814 of 2020 in Crl.O.P(MD)No.13104 of 2019, on 06.10.2020.

2.The learned Counsel for the petitioner submitted that the petitioner has been granted bail by this Court on 03.10.2019 *inter alia* conditions to appear before Sellur Police Station daily twice. Subsequently, the petitioner filed a petition in Crl.M.P(MD)No.4814 of 2020 to relax the condition imposed on 03.10.2019 in Crl.O.P(MD) No.13104 of 2019 and this Court by order dated 06.10.2020 modified the condition that the petitioner shall report before the Sellur Police Station daily at 10.00 am from Monday to Friday. Subsequently, the petitioner has filed a petition in Crl.M.P(MD) No.899 of 2021, to relax the said condition. However, this Court vide order dated 23.02.2021 dismissed the petition. Now the present petition has been filed seeking to relax the condition imposed in



Crl.M.P(MD)No.4814 of 2020 in Crl.O.P(MD)No.13104 of 2019, vide order dated 06.10.2020.

3.The learned Government Advocate (Crl Side) appearing for the respondent submitted that while obtaining bail, the petitioner undertook that he will not apply for modification or relaxation of the condition. Therefore, the learned Government Advocate opposes for relaxing the condition. He further submitted that out 114 witnesses, 84 witnesses have been examined and the remaining 30 witnesses have to be examined.

4.In reply to the above, the learned Counsel for the petitioner submitted that it is true that the petitioner undertook that he will not apply for any modification or relaxation of the condition, since this Court directed that the trial should be completed within a period of six months and this order was passed on 03.10.2019 and this petitioner has been complying with the condition imposed by the Court from 16.10.2019, nearly for the past two years.

5.Considering that the petitioner is complying with the condition from 16.10.2019 and considering the fact that 84 witnesses have been examined, this court modifies the condition and accordingly, the petitioner is directed to appear before the Sellur Police Station at 10.30am on Mondays and Fridays until further orders.

6.According the learned Government Advocate (Crl Side) 30 witnesses have to be examined and therefore, the trial Court shall conclude the trial as expeditiously as possible without further loss of time.

7.This petition is ordered on the above terms.

Sd/-
23/09/2021

/ TRUE COPY /

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

TO

1. THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
PERIYAKULAM.
2. THE INSPECTOR OF POLICE,
VARUSANADU POLICE STATION,
Q BRANCH, THENI DISTRICT.
3. THE INSPECTOR OF POLICE,
SELLUR POLICE STATION,
MADURAI.



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

COPY TO : THE REGISTRAR(JUDICIAL) ,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL MP (MD) No.6372 of 2021
IN
CRL OP (MD) No.13104 of 2020
Date :23/09/2021

VB/PN/SAR.IV/30.09.2021/3P/6C