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

Wednesday, the Sixth day of October Two Thousand and Twenty One
PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CrI.M.P(MD)No.8064 of 2021

in

CrI.A(MD)No.166 of 2021

S.VELLAIPANDIYAN

... PETITIONER/APPELLANT/PETITIONER/
SOLE ACUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT
CRIME NO.3/2018

... 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 against the petitioner/Appellant/Accused in CrI.M.P.No.2637 of 2021 in CrI.A.No.166 of 2021 by on order dated 16.08.2021 on the file of this Honble Court.

PRAYER IN CRL A(MD)No.166 of 2021:

To call for the records pertaining to the Judgment passed by the learned Special Court(POCSO Cases) Srivilliputhur, Virudhunagar District in Spl.S.C.No.24/2018 dated 23.02.2021 and acquitting the Appellant/Accused and set aside the same.

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.M.KARUNANITHI, Advocate for the petitioner and of Mr.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor for the Respondent, the court made the following order:-

This petition has been filed to relax the condition imposed on the petitioner in CrI.M.P(MD)No.2637 of 2021 in CrI.A(MD)No.166 of 2021, dated 16.08.2021.

2.Mr.M.Karunanithi, learned counsel appearing for the petitioner would state that while granting suspension of sentence, this Court imposed a condition that the petitioner/Appellant shall appear before the Mahila Court (Fast Track), Srivilliputhur, Virudhunagar District daily at 10.30 a.m., and the petitioner has been complying with the condition from 20.08.2021. It is further stated that in view of the condition imposed on the petitioner, he is not able to go for regular work and earn for his livelihood and hence, his entire family is suffering.



3. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor appearing for the State Government would submit that the petitioner has been complying with the condition regularly from 20.08.2021.

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4. In the light of the above fact, the condition imposed on the petitioner in CrI.M.P(MD)No.2637 of 2021 in CrI.A(MD)No.166 of 2021, dated 16.08.2021 is modified to the effect that the petitioner is directed to appear before the learned Mahila Court (Fast Track), Srivilliputhur, Virudhunagar District on the first working day of every month at 10.30 a.m., until further orders.

5. Accordingly, this petition is ordered.

Sd/-
06/10/2021

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

TO

- 1.THE SPECIAL JUDGE,
(POCSO ACT CASES), SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
- 2.THE JUDGE,
MAHILA COURT (FAST TRACK), SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
- 3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to Mr.KARUNANITHI.M. Advocate SR.No.7066

ORDER
IN
CrI.M.P(MD)No.8064 of 2021
in
CrI.A(MD)No.166 of 2021
Date :06/10/2021