



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

Thursday, the Seventh day of October Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN
and
The Hon`ble Mrs.Justice J.NISHA BANU

CRL MP (MD) No.8202 of 2021
in
Crl.A. (MD) .No.508 of 2019

DHAYA @ DHAYANITHI

... PETITIONER/ PETITIONER

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.30/2003

... 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 in Crl.M.P.No.4578 of 2020 in Crl.A. (MD) No.508 of 2019 dated 25/01/2021.

Prayer in CRL A(MD) No.508 of 2019:

To call for the records in S.C.No.264 of 2016 on the file of the Learned III Additional District and Sessions Judge, Pattukottai, Thanjavur District and SET ASIDE the Judgment dated 22.08.2019 and Acquit the Appellant of the Charges leveled against the petitioner.

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.L.JAIVENKATESH, Advocate for the petitioner and of Mr.S.RAVI, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by **V.BHARATHIDASAN, J.**)

The present petition has been filed to relax condition imposed by this Court in Crl.M.P(MD)No.4578 of 2020, in Crl.A. (MD)No.508 of 2019, on 25.01.2021.

2. This Court, by an order dated 25.01.2021, in Crl.M.P(MD) No.4578 of 2020, in Crl.A. (MD)No.508 of 2019, while suspending the

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sentence imposed on the petitioner, directed the petitioner to appear before the committal court at 10.30 a.m., on the first working day of every English calendar month, until further orders. To relax the above said condition, the present application has been filed.

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3. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for the State.

4. Considering the fact that the condition has been imposed to make sure the availability of the accused pending appeal, and this is the usual condition being passed in all the pending appeals, there is no special reason to relax the condition imposed on the petitioner, we find no merit in the petition. Hence, this petition is dismissed.

sd/-

07/10/2021

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/ /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 III ADDITIONAL DISTRICT AND SESSIONS JUDGE,
PATTUKKOTTAI, THANJAVUR DISTRICT.
- 2 THE DISTRICT MUNSIF AND JUDICIAL MAGISTRATE,
ORATHANADU.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 4 THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION, THANJAVUR DISTRICT.
- 5 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL MP(MD) No.8202 of 2021 in
Crl.A.(MD).No.508 of 2019

Date :07/10/2021

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