



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

Wednesday, the Twenty Second day of December Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

Crl.M.P. (MD)No.11666 of 2021
in
Crl.R.C. (MD)No.296 of 2021

M.KAJA ISMAIL @ OTTU KAJA ... PETITIONER/ PETITIONER/ PETITIONER

Vs

1 THE ADMINISTRATIVE EXECUTIVE MAGISTRATE AND
THE DEPUTY COMMISSIONER OF POLICE,
LAW AND ORDER,
TIRUNELVELI CITY.

2 THE INSPECTOR OF POLICE (LAW AND ORDER),
MELAPALAYAM POLICE STATION,
TIRUNELVELI CITY.

3 THE SUPERINTENDENT OF PRISON,
PALAYAMKOTTAI CENTRAL PRISON,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT. ... RESPONDENTS/ RESPONDENTS/ RESPONDENTS

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, by this Honble Court in Crl.MP(MD)No.4093/2021 in Crl.RC(MD)No.296/2021 dated 18/6/2021.

Prayer in CRL RC(MD). 296/ 2021 :

To Call for the entire records relating to the order under section 122 (1) (b) r/w. 117 of Criminal Procedure Code dated 05.03.2021 by his Proceedings in E. M. C No. 169/sec/Pre/DC. L and O /Tin-c/2020 dated 30.09.2020 passed by the 1st respondent and set aside the same as illegal and allow the above Criminal Revision Petition as prayed for.

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.I.SABEER MOHAMED, Advocate for the petitioner and of MR.R.SURESH KUMAR, Government Advocate on behalf of the Respondents, the court made the following order:-



This petition has been filed to relax the condition imposed by this Court in Crl.M.P.(MD)No.4093 of 2021 in Crl.R.C.(MD)No.296 of 2021 dated 18.06.2021.

2.On the side of the petitioner, it is stated that this Court has granted suspension of sentence to the petitioner vide order dated 29.11.2021 and the petitioner is complying the condition regularly and the condition was modified on 18.06.2021, by an order of this Court in Crl.M.P.(MD)No.4093 of 2021. Subsequently, the petitioner is complying the modified condition till now and prayed the condition to be relaxed.

3.On the side of the prosecution, it is stated that as per the order of this Court dated 18.06.2021, the petitioner is obliging the condition regularly.

4.In view of the submissions made by the learned Government Advocate (Crl. Side), this Court is inclined to relax the condition imposed by this Court in Crl.M.P.(MD)No.4093 of 2021 in Crl.R.C.(MD)No.296 of 2021 dated 18.06.2021. Hence, this Criminal Miscellaneous Petition is allowed. However, the petitioner shall appear before the respondent police as and when required and he shall appear before the concerned Court on every hearing dates.

sd/-
22/12/2021

/ TRUE COPY /

/ /2021

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

TO

- 1 THE ADMINISTRATIVE EXECUTIVE MAGISTRATE AND
THE DEPUTY COMMISSIONER OF POLICE,
LAW AND ORDER, TIRUNELVELI CITY.
- 2 THE INSPECTOR OF POLICE (LAW AND ORDER),
MELAPALAYAM POLICE STATION, TIRUNELVELI CITY.
- 3 THE SUPERINTENDENT OF PRISON,
PALAYAMKOTTAI CENTRAL PRISON,
PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
Crl.M.P.(MD)No.11666 of 2021
in
Crl.R.C.(MD)No.296 of 2021
Date :22/12/2021

MRN

<https://hccr.judges.org/Services/2021/2P/5C>