



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

Monday, the Thirteenth day of December Two Thousand and Twenty One
PRESENT

The Hon`ble Mrs.Justice R.THARANI

WEB COPY

CRL MP(MD) No.11084 of 2021

IN

CRL A(MD)No.176 of 2021

1 RAJESH KUMAR @ SURYA
2 ABDUL KARIM SHET

... PETITIONERS/PETITIONERS/
APPELLANTS/ACCUSED Nos.1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
APPAN THIRUPATHI POLICE STATION,
MADURAI DISTRICT
CR.NO.57/2016

... RESPONDENT/RESPONDENT/
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 by this Honourable court in Crl.M.P. (MD) No.5501 of 2021 in Crl.A. (MD).No.176 of 2021 dated 19/08/2021 on the file of this Honourable court

PRAYER IN CRL A(MD)No.176 of 2021:

To call for the records relating to the judgment dated 09.03.2021 made in S.C.No.473 of 2019 on the file of I Additional Assistant Sessions Court, Madurai and set aside the conviction and sentence imposed against the Appellants/Accused No. 1 and 2 for the offences punishable under section 394 r/w 397 of IPC and sentenced to undergo 10 years R.I each and pay a fine amount of a sum of Rs.25000/- each in default to undergo 1 year S.I and allow the above appeal by acquitting the accused.

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.J.SULTHAN BASHA, Advocate for M/S. AJMAL ASSOCIATES, for the petitioners and of Mr.K.SANJAY GANDHI, Government Advocate on behalf of the Respondent, 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.5501 of 2021 in Crl.A.(MD)No.176 of 2021 dated 19.08.2021.

2.On the side of the petitioners, it is stated that this Court has granted suspension of sentence to the petitioners on 19.08.2021,
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directing the petitioners to appear before the concerned Court daily at 10.30 a.m. It is stated that the petitioners are complying the condition regularly and prayed the petition to be allowed.

3.The learned Government Advocate appearing for the respondent fairly admitted that the petitioners are complying the condition till now.

4.In view of the aforesaid submission, this Court is inclined to modify the condition imposed by this Court in Crl.M.P.(MD)No.5501 of 2021 dated 19.08.2021. Hence, this Criminal Miscellaneous Petition is partly allowed and the condition imposed on the petitioners are modified to the effect that the petitioners are directed to appear before the concerned trial Court on first working day of every month at 10.30 a.m., until further orders.

sd/-

13/12/2021

/ 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 I ADDITIONAL ASSISTANT SESSIONS JUDGE, MADURAI.

2.THE JUDICIAL MAGISTRATE NO.V, MADURAI.

3.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

4.THE INSPECTOR OF POLICE
APPAN THIRUPATHI POLICE STATION,
MADURAI DISTRICT.

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

+1. C.C. to M/S. AJMAL ASSOCIATES, SR.No.9253

ORDER IN

CRL MP(MD) No.11084 of 2021
IN

CRL A(MD)No.176 of 2021

Date :13/12/2021

SA/VR/SAR.3/22.12.2021/2P/7C

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