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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.M.P.No.3337 of 2022

in

Crl.R.C.No.758 of 2018

Gnanasekaran

... Petitioner

Vs.

The State represented by
Station House Officer
Moongilduraipattu P.S.
Sankarapuram Taluk
Villupuram District.

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 482 Code of Criminal Procedure, to modify the condition imposed in paragraph No.2, in Crl.M.P.No.8711 of 2018, in Crl.R.C.No.758 of 2018, by this Court dated 02.07.2018, pending disposal of the above said Criminal Revision.

For Petitioner : Mr.P.Tamilavel

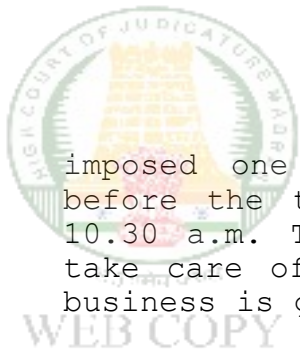
For Respondent : Mr.Damodaran
Additional Public Prosecutor

O R D E R

This petition has been filed to modify the condition imposed in paragraph No.2, in Crl.M.P.No.8711 of 2018, in Crl.R.C.No.758 of 2018, by this Court dated 02.07.2018, pending disposal of the above said Criminal Revision.

2. The petitioner/accused in C.C.No.571 of 2013 was convicted and was sentenced to undergo one year Simple Imprisonment for the offence under Section 324 of IPC, by the Judgment dated 14.02.2018. Aggrieved against the same, the petitioner had preferred an appeal in C.A.No. 23 of 2018, the same was dismissed confirming the conviction of the trial Court, by the Judgment dated 24.04.2018, against which the present Revision.

3. This Court by the order dated 02.07.2018 while suspending the sentence of the petitioner in Crl.M.P.No.8711 of 2018,



imposed one of the conditions that the petitioner should appear before the trial Court on the first working day of every week at 10.30 a.m. The petitioner due to the said condition, is unable to take care of his old parents and two years old child, further his business is greatly affected. Hence, he seeks modification.

4. The learned Additional Public Prosecutor submits that, from the year 2018, the petitioner has been regularly complying with the condition.

5. It is seen that the it will take some time for the Revision to be taken up for final hearing. Further the petitioner has been regularly appearing before the trial Court. In view of the same, the condition imposed in paragraph No.2, in CrI.M.P.No.8711 of 2018, in CrI.R.C.No.758 of 2018, by this Court dated 02.07.2018, is modified to the effect that the petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m.

6. Accordingly, this petition is modified and ordered.

-sd/-

22/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
SANKARAPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM(FOR INFORMATION)

3 III ADDITIONAL DISTRICT AND
SESSIONS JUDGE, KALLAKURICHI

4 STATION HOUSE OFFICER,
MOONGILDURAIPATTU POLICE STATION,
SANKARAPURAM TALUK,
VILLUPURAM DISTRICT.



5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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C.C. to M/S P.TAMILAVEL Advocate on payment of necessary
charges Sr.4273

Order
in
Crl.M.P.No.3337 of 2022
in
Crl.R.C.No.758 of 2018
Date :22/03/2022

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RVR 29/03/2022