



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL MISCELLANEOUS PETITION No.4384 of 2022

in

CrI.A.No.583 of 2021

PALANISAMY

[PETITIONER/ACCUSED]

Vs

STATE OF TAMILNADU REP.BY
THE SUB-INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
EGMORE,
CHENNAI - 600 008.

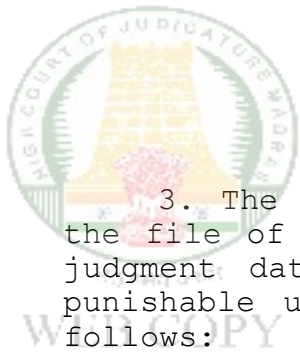
[RESPONDENT/COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Relax the condition imposed on the petitioner that he should report before the Judicial I Additional Sessions Judge, Chennai on the First Working day of every English Calendar Month at 10.30 a.m. in CrI.MP.12090/2021 in CrI.A.583/2021 on the file of the Hon'ble Court order dated 16.12.2021.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.T.R.PRABHAKARAN, Advocate for the petitioner and of M/S.LEONARD ARUL JOSEPH SELVAM, Govt. Advocate (CrI. Side) on behalf of the Respondent the court made the following order:-

This Criminal Miscellaneous Petition is filed to relax the condition imposed upon the petitioner vide this Court order dated 16.12.2021 made in CrI.M.P.No.12090 of 2021 in CrI.A.No.583 of 2021.

2. Heard Mr.T.R.Prabhakaran, learned counsel for the petitioner and Mr.Leonard Arul Joseph Selvam, learned Government Advocate (CrI. Side), appearing for the State.



3. The petitioner is an accused [A2] in S.C.No.488 of 2005, on the file of the learned I Additional Sessions Judge, Chennai and by judgment dated 17.11.2021, he has been convicted for the offence punishable under Sections 420 and 120 (b) of IPC and sentenced as follows:

Offence	Sentence
420 IPC	to undergo rigorous imprisonment for five years and to pay a fine of Rs.25,000/-, in default to undergo simple imprisonment for six months.
120 (b) IPC	to undergo rigorous imprisonment for five years and to pay a fine of Rs.25,000/-, in default to undergo simple imprisonment for six months.
The trial Court also ordered the sentences to run concurrently.	

4. Challenging the above conviction and sentences, the petitioner/A2 has filed Crl.A.No.583 of 2021 along with Crl.M.P.No.12090 of 2021, seeking suspension of sentence and bail. The said Criminal Miscellaneous Petition has been allowed by this Court with condition that the petitioner shall appear before the trial Court on the first working day of every English Calendar month at 10.30am., until further orders.

5. As of now, the appeal is kept pending for enquiry. Only in this occasion, the petitioner is before this Court with the present application to relax the condition.

6. Now, on going through the order passed by this Court, it is an usual condition imposed in all the appeals, as the accused should appear before the trial Court on the first working day of every English Calendar month at 10.30am., until further orders. In otherwise, in the petition filed by the petitioner, he has not stated any special reasons as to why he is not in a position to appear before the trial Court. Therefore, this Court is not satisfied with the reasons stated by the petitioner and accordingly, this Criminal Miscellaneous Petition is dismissed.

-sd/-

07/04/2022

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 I ADDITIONAL SESSIONS JUDGE,
CHENNAI.

2 THE SUB-INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
EGMORE, CHENNAI - 600 008.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

C.C. to M/S.T.R.PRABHAKARAN Advocate on payment of necessary
charges

Order

in
CRL MP.4384/2022
in
CRL A.583/2021

Date :07/04/2022

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

RW 19/04/2022