



Crl.MP.No.17291 of 2022 in Crl.A.No.471 of 2020

Crl.MP.No.17291 of 2022

in

Crl.MP.No.7748 of 2021

in

Crl.A.No.471 of 2020

M.NIRMAL KUMAR, J.

This petition has been filed to relax the condition imposed by this Court by its order dated 16.08.2021 in Crl.MP.No.7748 of 2021 in Crl.MP.No.7215 of 2020 in Crl.A.No.471 of 2020 for a period of 6 months.

2.The petitioner, who was an accused in Spl.C.C.No.14 of 2015 on the file of the Special Court for the cases under the Prevention of Corruption Act, Chennai, was convicted and sentenced by order dated 22.10.2020. Against which, the accused had preferred an appeal in Crl.A.No.471 of 2020, along with a Miscellaneous Petition in Crl.M.P.No.7215 of 2020, seeking Suspension of Sentence.

3.This Court, by order dated 02.12.2020, suspended the sentence of the Petitioner with the following condition:

“The petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of



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the appeal and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.”

4. Thereafter, the Petitioner filed a Petition for relaxation in Crl.MP.No.7748 of 2021. By order dated 16.08.2021, this Court modified the condition to the effect that the Petitioner shall appear before the trial Court once in two months in the first week.

5. Learned counsel for the petitioner submitted that the Petitioner has been complying with the condition till date. The Petitioner is 74 years and now undergone a major surgery viz., right total hip replacement and is recovering from the same. Hence, finds it difficult to appear before the said Court, as per the order of this Court dated 16.08.2021.

6. Learned Government Advocate appearing for the respondent submitted that the Petitioner is complying with the condition without any deviation. Further, the Petitioner's health condition is not seriously disputed by him.



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7.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate that the Petitioner is complying with the condition without any deviation, now the Petitioner has undergone hip replacement surgery, the condition imposed on the Petitioner by order dated 16.08.2021 in Crl.MP.No.7748 of 2021 in Crl.MP.No.7215 of 2020 in Crl.A.No.471 of 2020 to appear before the trial Court, is totally relaxed.

17.11.2022

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