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Crl.MP.No.17598 of 2022 in Crl.A.No.370 of 2021

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in

Crl.A.No.370 of 2021

M.NIRMAL KUMAR, J.

This Petition has been filed to relax the condition imposed on the Petitioner by this Court on 10.08.2021 in Crl.MP.No.7650 of 2021 in Crl.A.No.370 of 2021, that the Petitioner should report before the trial Court twice in month on every first Monday and third Monday of working day at 10.30 am.,

2.The petitioner, who was an accused in C.C.No.17 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 12.07.2021. Against which, the accused had preferred an appeal in Crl.A.No.370 of 2021, along with a Miscellaneous Petition in Crl.M.P.No.7650 of 2021, seeking Suspension of Sentence.

3.This Court, by order dated 10.08.2021, suspended the sentence of the Petitioner with the following condition:



CrI.M.P.No.17598 of 2022 in CrI.A.No.370 of 2021

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“ii)The Appellants/Accused shall report before the trial Court twice in a month for the first Monday and the third Monday of working day of every English Calendar month at 10.30 am., until further orders.”

4.Learned counsel for the petitioner submitted that the Petitioner has been complying with the condition till date. The Petitioner's presence is very much required for the day to-day business. Hence, finds it difficult to appear before the said Court, as per the order of this Court dated 10.08.2021.

5.Learned Government Advocate appearing for the respondent submitted that the Petitioner is complying with the condition without any deviation.

6.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, the condition imposed on the Petitioner by order dated 10.08.2021 in CrI.M.P.No.7650 of 2021 in CrI.A.No.370 of 2021 to appear before the trial



Crl.MP.No.17598 of 2022 in Crl.A.No.370 of 2021

Court, is modified as follows:

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“ii)The Appellant/Accused shall report before the trial Court once in three months on the first working day of English Calendar month at 10.30 am., until further orders, from November 2022”

22.11.2022

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Crl.MP.No.17598 of 2022 in Crl.A.No.370 of 2021

M.NIRMAL KUMAR, J.

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Crl.MP.No.17598 of 2022
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Dated: 22.11.2022