



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Sixteenth day of March Two Thousand and Twenty Two

WEB COPY

PRESENT

**The Hon`ble Mr.Justice R.SUBRAMANIAN
and
The Hon`ble Mr.Justice N.SATHISH KUMAR**

Cr1.M.P(MD)Nos.3168 & 3170 of 2022
in
Cr1.A(MD)Nos.619 & 493 of 2019

SHENBAGARAJ

... PETITIONER/APELLANT
IN CRL MP(MD)No.3168 of 2022

SENTHILKUMAR

...PETITIONER/PETITIONER/APELLANT
IN CRL MP(MD)No.3170 of 2022

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE
KOVILPATTI EAST POLICE STATION,
KOVILPATTI,
THOOTHUKUDI DISTRICT.
(CR.NO.1105 OF 2013)

... RESPONDENT/RESPONDENT
in BOTH PETITIONS

PRAYER IN CRL MP(MD)No. 3168 OF 2022:

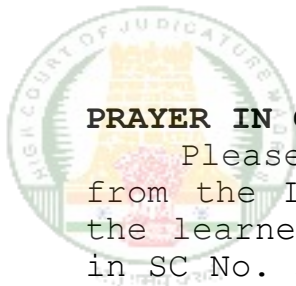
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to relax the condition imposed on the petitioner in Cr1.M.P.No.2088/2021 in Cr1.A.No.619/2019 dated 25.06.2021

PRAYER IN CRL A(MD)No. 619 of 2022:

Pleased to call for the entire records pertaining to the judgment delivered by the learned II Additional District Judge, Thoothukudi, Thoothukudi District in S.C.No. 59 of 2016 vide his judgment dated 03.09.2019 and set aside the same and consequently acquit the appellant.

Prayer in CRL MP(MD). 3170/ 2022 :

To relax the condition imposed in Cr1.M.P(MD).No.1807 of 2021 in Cr1.A.(MD).493/2019 dt 25.06.2021 on the file of this Honourable Court.



PRAYER IN CRL A(MD)No. 493 of 2019 :

Pleased to admit this appeal on file, to call for the records from the Lower Court and to duly set aside the Judgment passed by the learned First Additional District and Sessions Judge, Tuticorin in SC No. 36 9 of 2015, dated 13.09.2019 .

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.G.KARUPPASAMY PANDIYAN , Advocate for the petitioner in CRL MP(MD)No.3168 of 2022 and of MR. K.PRABHU, Advoate for the petitioner in CRL MP(MD)No.3170 of 2022 and of MR.A.THIRUVADI KUMAR, Additional Public Prosecutor on behalf of the Respondent in Both Petitions, the court made the following order:-

The petitioners seek modification of the condition imposed on them in Cr1.M.P(MD)Nos.2088 & 1807 of 2021 in Cr1.A.(MD) Nos.619 & 493 of 2019, dated 25.06.2021, respectively, to reside at Dharmapuri and appear before Athiyamankottai Police Station at 10.30 a.m. on every Monday, until further orders.

2. According to the petitioners, they being daily wage earners, it is difficult for them to continue to comply with the condition.

3. The learned Additional Public Prosecutor would submit that the condition is being complied with regularly till date from 12.07.2021.

4. Considering the fact that the petitioners are the residents of Tuticorin District and no adverse circumstances has been brought out against them, we modify the condition and direct the petitioners to appear before the learned Judicial Magistrate No.I, Kovilpatti, on the first Monday of every English Calendar month at 10.30 a.m., until further orders.

5. Accordingly, these petitions are ordered.

sd/-

16/03/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE I ADDITIONAL DISTRICT AND
SESSIONS JUDGE,
TUTICORIN.



2 THE II ADDITIONAL DISTRICT AND
SESSIONS JUDGE,
TUTICORIN.

3 THE INSPECTOR OF POLICE
KOVILPATTI EAST POLICE STATION, KOVILPATTI,
THOOTHUKUDI DISTRICT.

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

COPY TO

1 THE JUDICIAL MAGISTRATE NO.I,
KOVILPATTI

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT

3 THE INSPECTOR OF POLICE
ATHIYAMANKOTTAI POLICE STATION,
DHARMAPURI DISTRICT.

ORDER
IN
CRL.M.P (MD) NOS.3168
& 3170 OF 2022
IN
CRL.A (MD) NOS.619 &
493 OF 2019
Date :16/03/2022

rm
PKP/PN/SAR-4/18.03.2022/3P/8C