



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Twenty First day of March Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.3704 of 2022

IN

CRL A(MD)No.528 of 2021

KATHIRESAN

... PETITIONER/PETITIONER/
APPELLANT

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PAPPAKUDI POLICE STATION,
TIRUNELVELI DISTRICT.
CR.NO. 197 OF 2016.

... RESPONDENT/RESPONDENT/
RESPONDENT

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 in Crl.MP.(MD).No.11544 of 2021 in Crl.A (MD).No.528 of 2021 dated 07.01.2022.

PRAYER IN CRL.A(MD) No.528 of 2021:

To call for the records and set aside the Judgment and Conviction dated 23.10.2021, by the learned Sessions Judge, POCSO Special Court, Tirunelveli in Spl.S.C.No.22 of 2019 and acquit the Appellant.

PRAYER IN CRL MP(MD)No.11544/2021 IN CRL A(MD)No.528/2021:

Pleased to Suspend the Sentence of Imprisonment imposed by the learned Sessions Judge, POCSO Special Court, Tirunelveli in Spl.SC.No.22 of 2019 by the Judgment dt.23.10.2021 and enlarge the Petitioner/Appellant on bail, pending disposal of the above said Criminal Appeal.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.PON KARTHIKEYAN R, Advocate for the petitioner and of M/s.M.AASHA, Government Advocate(crl.side) on behalf of the Respondent, the court made the following order:-



This petition has been filed to relax the condition imposed on the petitioner in Crl.M.P(MD)No.11544 of 2021 in Crl.A(MD)No.528 of 2021, dated 07.01.2022.

2. The learned counsel appearing for the petitioner would submit that the petitioner is complying with the condition regularly. He further stated that since the petitioner is a daily wager, he is not in a position to comply with the condition.

3. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner is regularly complying with the condition.

4. In the light of the above submission, the condition imposed on the petitioner in Crl.M.P(MD)No.11544 of 2021 in Crl.A(MD)No.528 of 2021, dated 07.01.2022, is modified to the effect that the petitioner shall appear before the trial Court once in fifteen days at 10.30 a.m., until further orders.

5. Accordingly, the condition imposed in Crl.M.P(MD)No.11544 of 2021 in Crl.A(MD)No.528 of 2021, dated 07.01.2022 is modified.

This petition is ordered, accordingly.

sd/-
21/03/2022

/ TRUE COPY /

22/03/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SESSIONS JUDGE,
POCSO SPECIAL COURT, TIRUNELVELI.
- 2 THE JUDGE,
MAHILA COURT, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
PAPPAKUDI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL MP(MD) No.3704 of 2022
IN
CRL A(MD)No.528 of 2021
Date :21/03/2022

PKP/SBN/SAR-2/22.03.2022/2P/5C

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