



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

Thursday, the Tenth day of March Two Thousand and Twenty Two

PRESENT

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

CRL MP(MD) No.7077 of 2021  
IN  
CRL RC(MD)No.33 of 2021

1 DEIVASIGAMANI  
2 SANTHANAKUMAR  
3 MURUGAN

... PETITIONERS/PETITIONERS/  
ACCUSED 1 TO 3

**Vs**

THE STATE REP.BY  
THE FOREST RANGER  
VILATHIKULAM FOREST RANGE,  
THOOTHUKUDI DISTRICT.  
(CR.NO. 1 OF 2008)

... RESPONDENT/COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Modify the order directing the petitioners to Surrender before the trial Court namely the learned District Munsif cum Judicial Magistrate Court Vilathikulam in the order passed in Crl.M.P(MD). No.471 of 2021 in Crl.R.C.(MD).No.33 of 2021 dated 02.03.2021

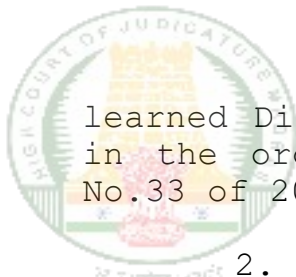
**Prayer in CRL.RC(MD)No.33/2021:**

To call for the records pertaining to the order passed in C.A.No.4 of 2018 in Crime No.1 of 2008 dated 05.07.2019 on the file of the learned Principal Sessions Judge, Thoothukudi, Confirming the Judgment passed by the learned District Munsif Cum Judicial Magistrate Court, Vilathikulam in C.C.No.171 of 2009 dated 21.06.2018 and set-aside the Judgments of the Courts below, acquit the petitioners.

**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. MURUGAN.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 modify the order directing the petitioner to surrender before the trial Court namely the

<https://hcservices.ecourts.gov.in/hcservices/>



learned District Munsif cum Judicial Magistrate Court, Vilathikulam in the order passed in Crl.M.P(MD) No.471 of 2021 in Crl.RC(MD) No.33 of 2021 dated 02.03.2021.

2. It is seen that the petitioners were convicted by the lower Court and the same was confirmed by the appellate Court. Further this Court by an order dated 02.03.2021 had dismissed the petitioner for suspension of sentence, directing the petitioners to surrender before the trial Court and then file a petition to suspend the sentence.

3. Since the petitioners have not complied with the conditions imposed by this Court, this Court is not inclined to modify the condition.

4. Hence the petition stands dismissed.

sd/-  
10/03/2022

/ TRUE COPY /

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

**TO**

- 1 THE PRINCIPAL SESSIONS JUDGE,  
THOOTHUKUDI.
- 2 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
VILATHIKULAM.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKUDI DISTRICT.
- 4 THE FOREST RANGER  
VILATHIKULAM FOREST RANGE,  
THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

**ORDER**

**IN**

CRL MP(MD) No.7077 of 2021  
IN  
CRL RC(MD) No.33 of 2021  
Date :10/03/2022

SA/PN/SAR.3/14.03.2022/2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>