



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

Monday, the Third day of January Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P.(MD)No.11969 of 2021
in
Crl.A.(MD)No.93 of 2019

A.M.TALIB SHERIFF ... PETITIONER/ PETITIONER/ APPELLANT

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
VIGILANCE AND ANTICORRUPTION,
THANJAVUR DISTRICT.
CRIME NO.26/2003.

... 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 pass an order relaxing the condition imposed on the petitioner by this Honourable Court made in Crl.M.P.(MD) no.2227 of 2019 dt 03/04/2019 in Crl.A.(MD) No.93 of 2019 forthwith.

Prayer in CRL A(MD)No.93 of 2019:

To call for entire records pertaining to Spl. C.C. No.3 of 2015 on the file of the Learned Chief Judicial Magistrate/Special Judge, Thanjavur @ Kumbakonam and set aside the order of conviction dated 18.02.2019 passed by the learned chief judicial Magistrate/Special Judge, Thanjavur @ Kumbakonam made in Spl. C.C.No. 3 of 2019 by allowing this 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 Mr.D.KARTHIKRAJA, Advocate for the petitioner and of MR.R.MEENAKSHI SUNDARAM, Additional Public Prosecutor on behalf of the Respondents the court made the following order:-

This Court in Crl.M.P(MD)No.2227 of 2019, dated 03.04.2019 while suspending the substantive sentence of imprisonment imposed the conditions directing the petitioner to appear before the concerned Court at 10.30 am on the first working day of every English Calendar pending the disposal of the appeal.

2.The petitioner has filed the above petition seeking relaxation of the condition imposed by this Court on the petitioner in Crl.M.P.(MD)No.2227 of 2019 in Crl.A.(MD)No.93 of 2019 , dated



03.04.2019, on the ground that the petitioner is aged about 75 years and is suffering from heart ailments.

3.The learned counsel for the petitioner would fairly admit that the petitioner has not appeared before the trial Court for three months from May 2021 to July 2021 due to his health grounds and subsequently, he has been complying with the conditions regularly.

4.No doubt, the Criminal Appeal is pending from 2019 onwards. Considering the age of the petitioner and also the heart ailments, this Court is inclined to modify the condition and the petitioner is directed to appear before the concerned Court at 10.30 am on the first working day of alternative English Calendar month commencing from February 2022.

5.Accordingly, this petition is ordered.

sd/-
03/01/2022

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

TO

- 1 THE CHIEF JUDICIAL MAGISTRATE/
SPECIAL JUDGE, THANJAVUR @ KUMBAKONAM.
- 2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTICORRUPTION, THANJAVUR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
Crl.M.P.(MD)No.11969 of 2021
in
Crl.A.(MD)No.93 of 2019
Date :03/01/2022

DAS
MK/PN/SAR.IV/06.01.2022/2P/4C