



Crl.O.P(MD)No.19692 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Crl.O.P(MD)No.19692 of 2022

P.Pandiaraj

... Petitioner/A1

Vs

**The Sub-Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
(Crime No.133 of 2019)**

... Respondent/Complainant

PRAYER: Petition filed under Section 439(1)(B) r/w 482 of Cr.P.C., to set aside the order in Crl.M.P.No.2913 of 2022 in Crl.M.P.No.2148 of 2022, dated 22.09.2022 on the file of the Principal District and Sessions Court, Virudhunagar District at Srivilliputhur and relax the condition imposed by the Principal District and Sessions Court, Virudhunagar District at Srivilliputhur in Crl.M.P.No.2913 of 2022 in Crl.M.P.No.2148 of 2022, dated 22.09.2022 insofar as the condition to sign before the SHO Anna Nagar Police Station, Chennai.

For Petitioners : Mr.S.Ponsaravanan

**For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate(Crl.Side)**



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ORDER

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This Criminal Original Petition has been filed to aside the order in Crl.M.P.No.2913 of 2022 in Crl.M.P.No.2148 of 2022, dated 22.09.2022 on the file of the Principal District and Sessions Court, Virudhunagar District at Srivilliputhur and also relax the condition imposed by the Court below insofar as the condition to sign before the SHO Anna Nagar Police Station, Chennai, once in a week on every Monday at 10.30 a.m., until further orders.

2.The learned counsel for the petitioner would submit that the investigation has been completed and the charge sheet has already been filed and the same was taken on file in P.R.C.No.23 of 2022 before the learned Judicial Magistrate No.2, Srivilliputhur and the case is posted for hearing today (ie., on 08.11.2022). He would further submit that the petitioner is a liver patient, he is unable to comply with the condition imposed by the learned Principal District and Sessions Court, Virudhunagar District at Srivilliputhur in Crl.M.P.No.2913 of 2022 in Crl.M.P.No.2148 of 2022, dated 22.09.2022. Hence, he prays for allowing this petition.

3.The learned Government Advocate (Criminal Side) appearing for the respondent police has no serious objections for allowing this petition.



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4.Considering the facts and circumstances of the case, the condition imposed in Crl.M.P.No.2913 of 2022 in Crl.M.P.No.2148 of 2022, dated 22.09.2022 on the file of the Principal District and Sessions Court, Virudhunagar District at Srivilliputhur, is modified to the effect that the petitioner shall appear before the learned Judicial Magistrate No.2, Srivilliputhur, on all hearing dates without fail. In respect of other conditions, the order dated 11.08.2022 in Crl.M.P.No.2148 of 2022, shall remain unaltered.

5.The Criminal Original Petition is ordered accordingly.

08.11.2022

Index:Yes/No
Internet:Yes/No
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To:-

- 1.The Principal District and Sessions Court,
Virudhunagar District at Srivilliputhur.
- 2.The Judicial Magistrate No.2, Srivilliputhur.
- 3.The Sub-Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.A.NAKKIRAN, J.

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