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Crl.M.P.No.300 of 2023 in
Crl.A.No.514 of 2016

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Crl.A.No.514 of 2016

M.NIRMAL KUMAR, J.

The petitioners herein are A2 and A3 in C.C.No.3 of 2010. They were convicted by the trial Court by judgment dated 02.07.2016. Against the conviction passed in the above said C.C., they preferred an appeal before this Court in Crl.A.No.514 of 2016 along with the petition to suspend the sentence in Crl.M.P.No.7360 of 2016. This Court by order dated 21.07.2016 has suspended the sentence of the petitioners / A2 and A3, with a condition that the petitioners / A2 and A3 to deposit the fine amount of Rs.3 lakhs in two instalments. The petitioners have now deposited the fine amount of Rs.3 lakhs in two instalments of Rs.1.5 lakhs each on 22.07.2016 and 20.09.2016 and petitioners were directed to appear the trial Court daily at 10.30 a.m. Thereafter, the petitioners filed modification petition in Crl.M.P.No.12024 of 2016 in Crl.A.No.514 of 2016 and this Court by order dated 11.11.2016 modified the condition, directing the petitioners / A2 and A3 to appear before the Special Court,



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once in a month i.e., on the first working day of the English calendar month.

2. The petitioners / A2 and A3 have come before this Court, seeking for further modification for the reason that now the first petitioner / Kandasamy, is driving Auto and making his livelihood and the second petitioner / Manickavalli, housewife, who is having health ailments, they are residing at Neyveli and they find it difficult to comply with the condition. Further submitted that they will not be the reason for any delay whenever the appeal is taken up for final hearing.

3. Learned Government Advocate (Crl.Side) appearing for the State confirms that the fine amount has been paid and they have been complying with the condition.



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4. In view of the same, this Court is inclined to modify the condition, directing the petitioners / A2 and A3 to appear before the trial Court once in six months, on the first working day at 10.30 a.m., until further orders.

11.01.2023

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