



CrL.M.P.No.6480 of 2023
in CrL.A.No.810 of 2016

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Dr.G.JAYACHANDRAN, J.

The petition to relax the bail condition is filed by the accused, who is 74 years old found guilty and convicted by the trial Court vide judgment dated 15.11.2016 in C.C.No.25 of 2006 for the offence under Sections 120B, 420 of IPC and Section 13(2) r/w.13(1)(d) of P.C.Act.

2. On appeal, this Court granted suspension of sentence on condition that he shall report before the trial Court once in a month. Later, it was modified on 19.09.2018 to report once in three months. When the petition filed for further relaxation, this Court called for report from the trial Court and found that this petitioner is not reporting before the trial Court, as modified by this Court vide order dated 19.09.2018.

3. The learned counsel appearing for the petitioner states that due to health condition, the petitioner was not able to report before the trial Court and he has enclosed medical reports issued by the doctors at Kishore's Health Care, Narayana Nethralaya and Dr.Solanki Eye hospital.



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4. After committing breach of the bail condition, this petition is filed for relaxation along with medical report. The petitioner ought to have approached the trial Court on the day when his appearance is due and should have filed the documents seeking condonation for his absence, instead he has directly approached this Court without mentioning the non appearance before the trial Court. Hence this Criminal Miscellaneous Petition is dismissed. However, if the petitioner reports before the trial Court on 1st September 2023, his absence for the past shall be condoned. The petitioner is directed to comply the condition dated 19.09.2018 by reporting before the trial Court once in three months without fail.

17.08.2023

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