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Crl.M.P.No.8594 of 2023

Crl.M.P.No.8594 of 2023

in

Crl.A.No.486 of 2021

M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,

[Order of the Court was made by R.SAKTHIVEL. J]

Captioned criminal miscellaneous petition has been filed by the petitioner seeking modification of bail condition No.(iii) imposed by this Court vide order dated 16.11.2021 in Crl.M.P.No.10717 of 2021 in Crl.A.No.486 of 2021. The bail condition No.(iii) reads as follows:

'(iii) The petitioner shall appear before the respondent / police everyday at 10.30 a.m. for a period of four weeks and thereafter, the petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal and if she is not able to appear before the trial Court on any day, she shall make arrangements to file an application under Section 317 Cr.P.C and shall appear before the trial Court on any other day in lieu of the date of her absence, as directed by the trial Court.'

2. Mr.A.Arasu Ganesan, learned counsel on record for petitioner submits that after the demise of petitioner's husband and children, she



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married a person, who is residing in Thenkasi District and that the petitioner has undergone surgery due to which she would not be able to travel about 400 kms to report before the trial Court at Cuddalore for complying with the conditions imposed by this Court. Hence, the petitioner seeks modification of condition No.(iii).

3. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for respondent is before this Court.

4. We have gone through the averments stated in the petition. In view of the averments, we are inclined to modify the condition No.(iii) stated supra. Accordingly, condition No.(iii) is modified to the effect that the petitioner shall appear before the Additional District Court, Thenkasi on the first working day of every month at 10.30 a.m. until the disposal of the main criminal appeal. Rest of the conditions imposed by this Court shall remain the same.

Captioned Criminal Miscellaneous Petition is ordered in aforesaid manner.

[M.S., J] [R.S.V., J]
06.07.2023
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