



Crl.M.P.No.14740 of 2023 in Crl.R.C.No.1545 of 2022

Crl.M.P.No.14740 of 2023 in
Crl.R.C.No.1545 of 2022

WEB COPY

M.NIRMAL KUMAR., J.

This Criminal Miscellaneous Petition has been filed to relax the condition (iii) that the petitioner shall appear before the trial Court on the first working day of every month imposed in Crl.M.P.No.18742 of 2022 in Crl.R.C.No.1545 of 2022, dated 09.12.2022.

2.This Court, by order, dated 09.12.2022 in Crl.M.P.No.18742 of 2022 in Crl.R.C.No.1545 of 2022 suspended the sentence and granted bail to the petitioner while admitting the main criminal revision. At that time, this Court directed the petitioner to appear before the trial Court on the first working day of every English calender month at 10.30 a.m., till the disposal of the main criminal revision. Now, the petitioner filed this present petition seeking relaxation or modification of the said condition on the ground that the petitioner is a Coolie, due his appearance before the trial Court of first working day, he is put to lot of difficulty and losing his income.



3.The learned Additional Public Prosecutor appearing for the respondent Police opposed the same stating that the petitioner after obtaining order of this Court, dated 09.12.2022, appeared before the trial Court only on two occasions i.e., on 05.04.2023, 02.05.2023 and thereafter, he failed to comply the condition. The learned counsel for the petitioner objected the same and submitted that the petitioner has been regularly appearing and there was mix up in the condition note book in the trial Court, hence, the report submitted by the learned Additional Public Prosecutor may not proper. Now, the petitioner made Copy Application in this regard.

4.Be that as it may, this Court finds that the maximum punishment given to the petitioner is only two years. Both the trial Court as well as the lower appellate Court convicted the petitioner, as against which the present criminal revision is pending. The condition imposed is that the petitioner to appear before the trial Court on the first working day of every English calender month at about 10.30 a.m.



Crl.M.P.No.14740 of 2023 in Crl.R.C.No.1545 of 2022

5.In view of the above, this Court is not inclined to relax or modify the said condition. Accordingly, this Criminal Miscellaneous Petition stands dismissed.

16.10.2023

vv2



WEB COPY



Crl.M.P.No.14740 of 2023 in Crl.R.C.No.1545 of 2022

M.NIRMAL KUMAR., J.

vv2

Crl.M.P.No.14740 of 2023 in
Crl.R.C.No.1545 of 2022

16.10.2023