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Crl.M.P.No.17955 of 2023

Crl.M.P.No.17955 of 2023

in

Crl.A.No.936 of 2022

M. NIRMAL KUMAR, J.

This petition is filed seeking to relax the condition imposed on the petitioner in Crl.M.P.No.13018 of 2022 dated 22.08.2022 that the petitioner shall appear before the trial Court on the first working day of every English Calendar month at 10.30 a.m.

2.The petitioner was convicted by the Trial Court in Spl.S.C.No.26 of 2019. Against the conviction, the petitioner preferred an appeal before this Court in Crl.A.No.936 of 2022 and suspension of sentence petition in Crl.M.P.No.13018 of 2022. This Court, by order dated 22.08.2022 suspended the sentence and granted bail to the petitioner with certain conditions. One of the conditions is that the petitioner to appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m.

3.The contention of the petitioner is that the petitioner is employed in State Transport Corporation and his duties are assigned by the Department



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and at times the duties are assigned on the first working day of the month. Due to the above condition, he had to take leave or absent from work to comply the condition, which is causing great inconvenience to him. Further, it is also taken as disobedience by the employer. Hence, this petition.

4.The learned Additional Public Prosecutor submitted that the petitioner is complying with the condition without any deviation.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Additional Public Prosecutor that the petitioner is complying with the condition without any deviation, the condition imposed on the petitioner to appear before the Trial Court, is relaxed. Other conditions remain unaltered.

17.11.2023

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