



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Eighteenth day of May Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL MP(MD) No.7515 of 2023

IN

CRL OP(MD) No.7220 of 2023

NARESHKUMAR

... PETITIONER/PETITIONER

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.03 OF 2023.

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition (a) alone imposed in Crl O.P (MD) No. 7220 of 2023 dated 19.04.2023 on the file of this Hon'ble court

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.K.CHELLAPANDIAN, Senior Advocate for M/S.KARNAN.G., Advocate for the petitioner and of Mr.SS.MADHAVAN, Government Advocate(crl.side) on behalf of the Respondent, the court made the following order:-

This petition is filed to modify the condition (a) alone imposed on the petitioner in Crl.O.P(MD)No.7220 of 2023 dated 19.04.2023.

2. The learned counsel appearing for the petitioner submits that while the petitioner was granted bail, he was directed to return the following documents:-

- 1.UG mark sheet - 8
- 2.UG consolidate - 1
- 3.UG provisional - 1
- 4.PG mark sheets - 4
- 5.PG consolidate - 1
- 6.PG provisional - 1
- 7.Degree certificate - 1



8. Transfer certificate (PG) - 1
9. Community certificate - 1
10. 12th mark sheet - 1
11. 10th mark sheet - 1
12. Extra curricular activities
13. Driving license - 1
14. Voter ID-1.

3. The learned counsel appearing for the petitioner further submits that the petitioner is not holding those documents. Since he is not having the aforesaid documents, he is not able to comply with all other conditions and hence, he prayed for modification with regard to that condition alone. FIR was lodged on 02.02.2023. Even in the year 2020 itself, the petitioner filed an application for divorce in H.M.O.P.No.42 of 2021 before the Omalur Sub Court, Salem District and the parties have no issues at all.

4. On the side of the defacto complainant, it is categorically stated that the documents are in the hands of her husband's family, to which, the learned counsel appearing for the petitioner submits that the petitioner is not having the documents and the same was stated in their counter objection before Trial Court.

5. Heard both sides.

6. Considering the submission made on both sides, if at all no documents are available with petitioner, liberty is granted to the defacto complainant to lodge an FIR for missing records provided the petitioner is directed to file affidavit before trial Court to that effect and this Court is inclined to delete the condition (a) and accordingly, the condition (a) passed in Crl.O.P(MD)No.7220 of 2023 dated 19.04.2023 is deleted. With regard to other conditions, the petitioner has to comply with and also, two weeks time is granted to the petitioner for compliance of the said order.

7. Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-
18/05/2023

/ TRUE COPY /

24/05/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SM
TO

1 THE JUDICIAL MAGISTRATE NO.3,
THANJAVUR.

<https://www.mhc.tn.gov.in/judis>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THANJAVUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to M/S. KARNAN.G. Advocate SR.No.7705 (I) Dt.19/05/2023

ORDER

IN

CRL MP (MD) No.7515 of 2023
IN

CRL OP (MD) No.7220 of 2023

Date :18/05/2023

SA/24.05.2023/3P/6C