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

Tuesday, the Fifth day of September Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL MP(MD) No.12260 of 2023
IN
CRL RC(MD)No.33 of 2021

1 DEIVASIGAMANI
2 SANTHANAKUMAR
3 MURUGAN

... PETITIONERS/PETITIONERS/ ACCUSED 1 TO 3
Vs

THE STATE REP.BY
THE FOREST RANGER
VILATHIKULAM FOREST RANGE,
THOOTHUKUDI DISTRICT.
(CRIME NO.1/2008)

... RESPONDENT/COMPLAINANT

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to relax the condition imposed in Crl.MP(MD)No.14128/2022 in Crl.RC(MD)No.33/2021 dated 23.11.2022.

PRAYER IN CRL RC.(MD).33/2021:

Pleased to call for the records pertaining to the order passed in C.A.No.44 of 2018 in Crime No.1 of 2008 dated 05.07.2019 on the file of the learned Principal Sessions Judge, Thoothukudi, confirming the judgment passed by the learned District Munsif cum Judicial Magistrate Court, Vilathikulam in C.C.No.171 of 2009 dated 21.06.2018 and set-aside the Judgments of the Courts below, acquit the Petitioners.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.RAJIV RUFUS.V, Advocate for the petitioners and of Mr.R.M.ANBUNITHI, Additional Public Prosecutor on behalf of the Respondent, the Court made the following order:-



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This Criminal Miscellaneous Petition has been filed to relax the condition imposed on the petitioner in CrI.M.P(MD)No.14128 of 2022 in CrI.RC(MD) No.33 of 2021 dated 23.11.2022.

2. According to the petitioner he has been complying with the condition without fail and due to the above said condition he is suffering a lot and he is not able to go for job for his avocation.

3. The learned Additional Public Prosecutor appearing for the respondent also admitted that the petitioner has been complying with the conditions without fail as directed by this Court.

4. Considering the representation made by the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor and also considering the nature of offence and considering that the petitioner is complying with the condition without fail, this Court is inclined to relax the conditions. Accordingly, the condition imposed on the petitioner is relaxed in toto.

4. Accordingly, the Criminal Miscellaneous Petition is allowed.

sd/-

05/09/2023

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/09/2023

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



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- 1 THE PRINCIPAL SESSIONS JUDGE,
THOOTHUKUDI.
- 2 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VILATHIKULAM.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 4 THE FOREST RANGER
VILATHIKULAM FOREST RANGE,
THOOTHUKUDI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL MP(MD) No.12260 of 2023
IN
CRL RC(MD)No.33 of 2021
Date :05/09/2023

SS/VR/08/09/2023/3P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023