



Crl.M.P.No.5520 of 2024
in Crl.A.No.286 of 2023

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A.D.JAGADISH CHANDIRA, J.

This petition has been filed seeking to relax the condition 6 (ii) imposed by this Court upon the petitioner/appellant in Crl.M.P.No.3977 of 2023 in Crl.A.No.286 of 2023 vide order dated 20.03.2023.

2. Learned counsel for the petitioner/appellant submitted that this Court, while granting suspension of sentence to the petitioner and other accused on 20.03.2023, had directed them to appear before the trial Court on the first working day of every alternate English Calendar Month at 10.30 a.m. starting from April 2023, until further orders. He further submitted that the petitioner, who is aged about 80 years, is diagnosed with Prostate Cancer and due to which, he is bedridden and taking treatment in Hyderabad, thereby, he finds it difficult to appear before the trial Court. Hence, he prayed to relax the condition.

3. Learned Government Advocate (Criminal Side) submitted that the petitioner has been complying with the conditions regularly till December 2023.



A.D.JAGADISH CHANDIRA, J.

4. The reasons adduced in the affidavit filed in support of this petition being satisfactory, this criminal miscellaneous petition stands ordered and the condition 6 (ii) imposed by this Court in Crl.M.P.No.3977 of 2023 in Crl.A.No.286 of 2023 vide order dated 20.03.2023, in respect of petitioner alone is modified as follows :-

“the petitioner shall appear before the trial Court once in six months at 10.30 a.m., starting from the 1st working day of April 2024, until further orders.”

5. It is made clear that, if the petitioner is unable to appear before the trial Court concerned for complying with the condition, he should be duly represented by his counsel who shall file an application under Section 317 Cr.P.C to that effect before the trial Court along with the medical certificates before the trial Court concerned.

28.03.2024

Note : Issue order copy today (28.03.2024)
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