



CRL.M.P.No.13348 of 2024

in

CRL.A.No.652 of 2022

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S.M.SUBRAMANIAM, J.

and

V.SIVAGNANAM, J.

[Order of the Court was made by **S.M.SUBRAMANIAM, J.**]

The petition has been instituted to relax the conditions imposed in Crl.A.No.652 of 2022 dated 02.09.2022 by directing the petitioner to report before the Special Court on all hearing dates and before the 'Q' Branch Police, Kamaraj Salai, Chennai on every Sunday at 10:30a.m until completion of trial.

2. It is not in dispute that one case in Spl.C.C.No.5 of 2023 alone is pending against the petitioner. The special case is being heard on day to day basis. The petitioner is appearing on all hearings before the Court. On some occasions, Section 317 of Criminal Procedure Code petition is filed beyond the appearance of the petitioner a condition was imposed to appear before 'Q' Branch on every Sunday at 10:30 a.m.



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3. Mr.Sankarasubbu, learned counsel for the petitioner would submit that when the petitioner is regularly appearing before the Special Court on day to day basis, appearing before 'Q' Branch Police on Sunday is causing difficulties as she is unable to look after other day to day activities. All other cases against the petitioner was disposed of except one case in Spl.C.C.No.5 of 2023.

4. Learned Additional Public Prosecutor appearing on behalf of the respondent relying on the counter affidavit raised an objection on the ground that the petitioner remained absent from 16.11.2007 without complying with the directions of the High Court. Thereafter, the respondent with a great difficulty secured the accused and considering the previous conduct the petitioner, the present petition deserve to be rejected.

5. We have gone through the counter affidavit, which would reveal that in the year 2007, the petitioner failed to comply with the directions issued by the Court and absconded and thereafter, she was secured by the Police. Thereafter, she was eight years in custody and now 16 years lapsed.



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6. Considering the facts and circumstances, we direct the petitioner to appear before the Trial Court on day today basis whenever the hearing is listed. Condition to appear before the 'Q' Branch Police on every Sunday at 10:30 a.m alone is relaxed.

7. With the above modification, the miscellaneous petition stands disposed of.

[S.M.S., J.] [V.S.G., J.]
03.10.2024

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