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Crl.M.P.No.14339 of 2024
in Crl.A.No.1243 of 2023

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M. NIRMAL KUMAR, J.

This petition has been filed seeking to relax the condition imposed on the petitioner in Crl.M.P.No.17510 of 2023 in Crl.A.No.1243 of 2023 dated 01.07.2024 that she shall report before the respondent police on every Monday at 10.30 a.m. until further orders.

2.The petitioner/A1 along with A2, aggrieved against the conviction passed by the trial Court in Spl.C.No.56 of 2022 had preferred an appeal before this Court in Crl.A.No.1243 of 2023. This Court, by order dated 01.07.2024, suspended the sentence and granted bail to the petitioner with conditions. One of the conditions is that the petitioner to appear before the respondent police/NIB-CID, Villupuram on every Monday at 10.30 a.m. until further orders.

3.The contention of the petitioner is that after coming out on bail, she had a severe back pain, thereafter, she took treatment in Velammal Medical College Hospital, Madurai as in-patient from 31.07.2024 to 10.08.2024, wherein treatment was given for Degenerative Lumbar Canal Stenosis L4 –



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L5 and Decompression L4 - L5. Since the pain was subsistent and unable to move, she was admitted in the Apollo Hospitals, Madurai. From 04.10.2024 to 10.10.2024 she took treatment as in-patient. Again treatment was given to L3 and L4 and she was advised to avoid bending and weight lifting. Due to the above condition, she was unable to take long travel weekly to appear before NIB-CID, Villupuram, since the travel is around 250 kms. Hence, sought for relaxation.

4.The learned Government Advocate (Crl. Side) filed his counter. Apart from narrating the case particulars of Spl.C.No.56 of 2022 he submitted that after coming out on bail the petitioner complied with the conditions only for four Mondays, i.e., on 22.07.2024, 29.07.2024, 12.08.2024 and 19.08.2024 and thereafter failed to appear. Hence, opposed for relaxation of the condition.

5.The learned counsel for petitioner refuted the same stating that after the spinal card problem got aggravated, she took treatment in Velammal Medical College Hospital and Apollo Hospitals at Madurai. She also produced the medical documents.



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6.Considering the submissions made on either side and on perusal of the materials, it is seen that the petitioner is suffering from back pain and she is unable to travel 500 kms (both directions) on a single day. The learned Additional Public Prosecutor submitted that if the petitioner finds it difficult to travel to Villupuram, she can very well appear before the NIB-CID, Madurai. The learned counsel for petitioner submitted that the petitioner would regularly appear before the NIB-CID, Madurai.

7.In view of the same, the condition to appear before the respondent police/NIB-CID, Villupuram on every Monday is modified to the extent that the petitioner to appear before the NIB-CID, Madurai on alternate Monday at 10.30 a.m. until further orders. All other conditions remain unaltered.

29.10.2024

rsi

Copy to:

The Inspector of Police,
NIB-CID, Madurai.

M. NIRMAL KUMAR, J.

rsi



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