



CrI.O.P.No.29643 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.29643 of 2024

Meer Imran

... Petitioner

Vs.

The State represented by its
Inspector of Police
D-2 Selvapuram Police Station
Coimbatore District

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to modify the condition imposed in Para No.5 of the order dated 01.10.2024 in CrI.M.P.No.1 of 2024, the petitioner shall report the trial Court on the 1st working day of every English calender month at 10.30 a.m., passed by the Principal District & Sessions Judge, Coimbatore.

For Petitioner	: Mr.T.Balaji
For Respondent	: Mr.S.Sugendran Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to modify the condition imposed in Para No.5 of the order dated 01.10.2024 in Crl.M.P.No.1 of 2024 that, the petitioner shall report the trial Court on the 1st working day of every English Calender Month at 10.30 a.m., passed by the Principal District & Sessions Judge, Coimbatore.

2. It is seen that the petitioner has been convicted for the offence under Section 304A IPC by the Judicial Magistrate No.V, Coimbatore in C.C.No.173 of 2015 by order dated 27.08.2024 against which, the petitioner has preferred appeal in Crl.A.No.295 of 2024 before the Principal District & Sessions Judge, Coimbatore and pending appeal, he has filed a petition in Crl.M.P.No.1 of 2024 to suspend the sentence till the disposal of the appeal. The learned Sessions Judge has allowed the said petition on condition directing the petitioner to appear before the trial Court only once in a month. The said appeal is still pending. The petitioner is not ready to argue the appeal before the appellate



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Court instead, he has filed the present petition to modify the said condition which shows that the petitioner has not approached this Court with clean hands.

3. Therefore, this Criminal Original Petition is dismissed.

4. If the petitioner wants relief from the said condition, he shall instruct his counsel to get on with the appeal and in case the appellant is ready for argument, the appellate Court shall hear the appeal and dispose of the appeal as expeditiously as possible.

26.11.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The Principal District & Sessions Judge, Coimbatore.
2. The Inspector of Police
D-2 Selvapuram Police Station, Coimbatore District
3. The Public Prosecutor
High Court of Madras

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P.VELMURUGAN. J.

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