



CRL MP(MD) No.663 of 2024

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

Tuesday, the Twenty Third day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP(MD) No.663 of 2024  
IN  
CRL OP(MD) No.18958 of 2023

1 PORKODI

2 SHANMUGAM

... PETITIONERS/ ACCUSED NO.1&2

Vs

1 THE SUB INSPECTOR OF POLICE  
SIVAKASI POLICE STATION,  
VIRUDHUNAGAR DISTRICT.  
(CRIME NO.251 OF 2023)

2 RAMU

... RESPONDENT/COMPLAINANT

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 on the petitioner in Crl.O.P(MD).No/18958 of 2023 by the order dated 04.12.2023.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S. MAREES KUMAR.E, Advocate for the petitioner and of MR.P.KOTTAICHAMY, Government Advocate(Crl.side) on behalf of the Respondent No.1 and MR.J.MALAI RAJA,

Advocate for the 2<sup>nd</sup> Respondent, the court made the following order:-

<https://www.mhc.tn.gov.in/judis>



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This Petition has been filed to relax the condition imposed on the petitioner by this Court vide order dated 04.12.2023 made in Crl.O.P(MD).No.18958 of 2023.

2. When the matter is taken up for hearing today, the learned Government Advocate (Crl.side) appearing for the first respondent submits that the petitioner has complied with the condition for a period of 29 days.

3. The learned counsel appearing for the second respondent/defacto complainant submits that this Court vide order dated 21.11.2023 directed the petitioner to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.251 of 2023 and mere deposit of the said amount would not serve any purpose to the defacto complainant. Therefore, this Court may direct the learned Judicial Magistrate No.1, Sivakasi Virudhunagar District to disburse the said amount with 6% interest to the defacto complainant.

4. The learned counsel appearing for the petitioner submits that she has no objection if the trial Court disburses the said amount to the defacto complainant, after obtaining appropriate affidavit from the defacto complainant that if the petitioner



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succeeds in the trial, liberty may be given to the petitioner for refund of the said amount.

5. Considering the submissions made by the learned Government Advocate (Crl.side) appearing for the first respondent, the condition imposed on the petitioner by this Court vide order dated 04.12.2023 made in Crl.O.P(MD).No.18958 of 2023 is relaxed. However, the learned Judicial Magistrate No.1, Sivakasi Virudhunagar District is directed to disburse the said amount of Rs.5,00,000/- (Rupees Five Lakhs only) deposited by the petitioner to the defacto complainant, after obtaining appropriate affidavit from the defacto complainant and that if the petitioner succeeds in the trial, she will be entitled for refund of the said amount.

sd/-  
23/01/2024

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/02/2024

Sub-Assistant Registrar (CS- I/ II / III/ IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

ssb

TO

1.THE JUDICIAL MAGISTRATE NO.1, SIVAKASI VIRUDHUNAGAR DISTRICT



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
WEB COPY VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE SUB INSPECTOR OF POLICE  
SIVAKASI TOWN POLICE STATION VIRUDHUNAGAR DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL MP(MD) No.663 of 2024  
IN  
CRL OP(MD) No.18958 of 2023  
Date :23/01/2024

RK/GS (31/01/2024) 4P / 5C

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