



CRL MP(MD) No.10411 of 2024

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

Saturday, the Nineteenth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN
and
The Hon`ble Ms.Justice R. POORNIMA

CRL MP(MD) No.10411 of 2024
in
CRL A(MD)No.156 of 2023

R.RAJAGURU @ GURU

... APPELLANT/ACCUSED No.1

Vs

THE STATE OF TAMIL NADU
REP BY THE INSPECTOR OF POLICE,
MANACHANALLUR POLICE STATION,
TRICHY DISTRICT.
CRIME NO. 59/2017

... RESPONDENT/RESPONDENT

Criminal Miscellaneous 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 in Crl M.P (MD) No. 3565 of 2023 against Crl A (MD) No. 156/2023 on 10.07.2024 on the file of this Honble High court

Prayer in CRL A(MD) No.156 of 2023 :

To call for records and set aside the Judgment and Conviction dated 09.01.2023, by the learned 2nd Additional District and Sessions Judge, Trichirappalli in S.C.No.124 of 2018 and acquit the Appellant.



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Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.KARUNANITHI.M, Advocate for the petitioner and of Mr.T.SENTHIL KUMAR, Additional Public Prosecutor on behalf of the Respondent, the Court made the following order:-

This Criminal Miscellaneous Petition has been filed seeking to relax the condition imposed while granting suspension of sentence to the petitioner herein vide order dated 10.07.2024.

2. A Co-ordinate Division Bench of this Court in Crl.M.P(MD) No.3565 of 2023 in Crl.A(MD) 156 of 2023 examined the request sought to grant suspension of sentence for the petitioner herein. By the said order it had been directed as follows:

"6. On perusal of records, we find that it is a case for grant of suspension of sentence. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioner/A1 is suspended, subject to the following conditions:

i. The petitioner/A1 is directed to be enlarged on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only), with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Trichy.



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ii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Committal Court may obtain a copy of their Aadhar card or Bank passbook to ensure their identity.

iii. The petitioner/A1 shall stay at Chennai and report before the Inspector of Police, North Beach Police Station, Chennai daily at 10.30 a.m. until further orders”.

By which clause no.6 (iii) is alone to be relaxed and it is stated that an alternate condition may be imposed.

3. The learned Additional Public Prosecutor stated that the petitioner herein has been complying with the condition aforesaid without any default.

4. Now in the affidavit filed seeking to relax the condition it had been stated that the petitioner is not able to comply with the condition regularly owing to commitment in his work place and that he is the only bread winner of the family and hence seeks relaxation of the condition.

5. Taking into consideration all the factors the clause no. 6(iii) aforesaid is relaxed and the petitioner shall report before the respondent police/Inspector of Police, Manachanallur Police Station, Trichy District on the first and third Saturday of every English month at 10.30 a.m., until further orders.



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6. The petition stands disposed of accordingly.

sd/-
19/10/2024

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/10/2024

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

AAV

TO

- 1 THE II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, TRICHY.
- 2 THE JUDICIAL MAGISTRATE NO.III
TRICHY.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 4 THE INSPECTOR OF POLICE,
MANACHANALLUR POLICE STATION, TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

- 1 THE INSPECTOR OF POLICE,
NORTH BEACH POLICE STATION, CHENNAI.



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2 THE INSPECTOR OF POLICE,
MANACHANALLUR POLICE STATION, TRICHY DISTRICT.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-12887[I] dated 22/10/2024)

ORDER
IN
CRL MP(MD) No.10411 of 2024
in
CRL A(MD)No.156 of 2023
Date :19/10/2024

SS/MMS/SAR- /25/10/2024/ 5P/9C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023