



CRL MP(MD). No.9172 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Fifth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD). No.9172 of 2024
in
CrI.A(MD)No.554 of 2024

Prabhakaran @ China ... Petitioner/2nd Appellant/ Accused No.3

Vs

- 1 The State of Tamilnadu through
The Deputy Superintendent of Police
Srivaikundam Police Station,
Thoothukudi District. ... Respondent No.1/ Investigation Officer
- 2 The Inspector of Police
Srivaikundam Police Station
Thoothukudi District.
Crime No.101/2024. ... Respondent No.2/ Complainant
- 3 Arumugam Perumal ... Respondent No.3/ Defacto Complainant
- 4 Marimuthu ... Respondent No.4/Victim

Prayer in CRL MP(MD). No.9172 of 2024:

Criminal Miscellaneous Petition filed under Section 528 of BNS, 2023(Section 482 of Cr.P.C) to totally relax the condition imposed in CrI.A(MD)No.554/2024 dated 18/07/2024 on the file of this Honble Court.



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Prayer in CRL A(MD). 554/ 2024 :

Criminal Appeal filed under Section 14A(2) of SC/ST (Prevention of Atrocities) Act, to set aside the order of the learned Special Court for Trial of cases under SC/ST(POA)Act, Thoothukudi, in Crl.M.P.No.520 of 2024 and the same was dismissed on 27.05.2024 and enlarge the petitioners/ appellants/accused Nos.2 and 3 on bail in Crime No.101 of 2024 on the file of the 1st respondent police.

ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. M.Jegadeesh Pandian, Advocate for the Petitioner and of Mr. M.Sathikumar, Government Advocate (Crl.Side) for the respondent(s), this Court made the following order:

Heard the learned counsel for the petitioner and the learned Government Advocate(Crl.side).

2.The learned Government Advocate (Crl.Side), on instructions, would submit that the petitioner is abiding the condition from 27.07.2024 onwards. The learned Government Advocate(Crl.side) would further submit that the investigation has been completed and final report has also been filed before the concerned Court and the same has not yet taken on file.

3.Considering the above said submission, this Court is inclined to relax the condition imposed on the petitioner in toto and the petitioner shall appear before the trial Court after receipt of summons. Accordingly, the condition imposed on the



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petitioner is relaxed in toto and the petition is allowed.

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Sd/-

Assistant Registrar (CS-I)

// True Copy //

/09/2024

Sub Assistant Registrar
(CS- I, II, III, IV)

NS
TO

- 1.The Judge,
Special Court for Trial of cases under SC/ST (POA) Act,
Thoothukudi.
- 2.The Deputy Superintendent of Police,
Srivaikundam Police Station, Thoothukudi District.
- 3.The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.



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ORDER DATED : 05/09/2024

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ORDER

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Giving direction and etc.
as stated within.

RD(19.09.2024) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.