



CRL MP(MD) No.10432 of 2024

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

Thursday, the Twenty Fourth 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.M.P(MD) No.10432 of 2024
in
Crl.A(MD) No.168 of 2023

1 MANICKAM

2 KARTHIKEYAN

3 VELUCHAMY

4 SELVARAJ

... PETITIONERS/PETITIONERS/ APPELLANTS

Vs

THE INSPECTOR OF POLICE,
KULITHALAI POLICE STATION,
KARUR DISTRICT.
CRIME NO.12 OF 2020.

... RESPONDENT/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 by this Hon`ble Court order made Crl.MP(MD) No. 1256 of 2024 in Crl.A. (MD) No. 168 of 2023 dated 31.07.2024 on the file of this Hon`ble Court on the file of this Hon`ble Court and thus render justice.



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Prayer in CRL A(MD) No.168 of 2023 :

To admit this appeal on file and call for the records from the Lower Court and set aside the Judgment passed by the Learned Principal Sessions Court / District Court, Karur in S.C.No.2 of 2021 dated 20.01.2023, by allowing this appeal.

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 Mr.S.VINAYAK, Advocate for the petitioner and of Mr.T.SENTHIL KUMAR, Additional Public Prosecutor on behalf of the Respondents the court made the following order:-

This application has been filed seeking to relax the condition imposed while granting suspension of sentence to the petitioner vide order dated 31.07.2024.

2. The accused were convicted and sentenced by the Trial Court as follows:

Accused	Section of law	Sentence of imprisonment	Fine amount
A1 to A4	148 IPC	6 months simple imprisonment	Rs.1000/- each in default to undergo 1 month simple imprisonment
A1 to A5	302r/w.149 IPC	Life imprisonment	Rs.2,000/- each in default to undergo 6 months simple imprisonment
A5	147 IPC	3 months simple imprisonment	Rs.500/- in default to undergo 15 days simple imprisonment

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3. While granting suspension of sentence this Court had directed the petitioners herein to stay at Virudhunagar and report before the Inspector of Police, Virudhunagar Town Police Station daily at 10.30 a.m. until further orders.

4. It has been stated that A4 has not consistently complied with the condition. The learned counsel appearing for the petitioner stated that compliance had not been done owing to medical condition. In the affidavit filed in support of the petitioner it had been stated that the petitioners are put to much hardship by staying at Virudhunagar and they are suffering financial loss and their families are under financial crisis.

5. We had also sought for report from the Inspector of Police, Kulithalai Police Station about the hostility in the area and written instructions had been forwarded stating that if A1 and A2 are permitted to enter into the jurisdictional limit of the respondent police there is every possibility of retaliation taking place.

6. But, however balancing all facts, we would modify the condition and direct the petitioners to stay at Karur Town and give their address to the Inspector of Police,



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Karur Town Police Station and sign before the Inspector of Police, Karur Town

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Police Station on every Saturday at 10.30am., until further order. Further they shall not enter into jurisdictional limit of the respondent police.

sd/-

24/10/2024

/ TRUE COPY /

/11/2024

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1 THE PRINCIPAL SESSIONS JUDGE / DISTRICT JUDGE, KARUR.

2 THE JUDICIAL MAGISTRATE NO.II, KULITHALAI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

4 THE INSPECTOR OF POLICE,
KULITHALAI POLICE STATION,
KARUR DISTRICT.

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

COPY TO:

1 THE INSPECTOR OF POLICE,
VIRUDHUNAGAR TOWN POLICE STATION,
VIRUDHUNAGAR.

2 THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR.

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ORDER
IN
Crl.M.P(MD) No.10432 of 2024
in
Crl.A(MD) No.168 of 2023
Date :24/10/2024

SA/SVR/SAR. /30.10.2024/5P/8C

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