



CRL.M.P.(MD)No.11559 of 2024

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

Monday, the Twenty Eighth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL.M.P.(MD)No.11559 of 2024

in

CRL.A.(MD)No.495 of 2018

CHOCKKAN

... Petitioner / Appellant

Vs

THE INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
ANNAVASAL, PUDUKOTTAI DISTRICT.
CRIME NO. 19/2015.

... 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 recall the bailable warrant issued on 21.08.2024 in Crl. A.(MD) No. 495/2018 pending on the file of this Honble Court and enlarge the petitioner on bail, pending disposal of the above Criminal Appeal.

Prayer in CRL A(MD). 495/ 2018 :

To set aside the Judgement and Conviction dated 23.10.2018 by the learned Additional District and Sessions Judge & Essential Commodities Act Cases and Special Court for NDPS Act Cases, Pudukkottai in S.C.No.106 of 2015 and acquit the Appellant.

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 D.RAMESHKUMAR, Advocate for the petitioner and of



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M/s.P.MEENAKSHI SUNDARAM, Additional Public Prosecutor on behalf of the Respondent the Court made the following order:-

This Criminal Miscellaneous Petition is filed to recall the bailable warrant issued on 21.08.2024 in CrI.A.(MD).No.495 of 2018 and enlarge the petitioner on bail, pending the disposal of the above said criminal appeal.

2.This appeal has been filed against the judgment of conviction and sentence dated 23.10.2018, passed by the learned Additional District and Sessions Judge, Special Court for Essential Commodities Act Cases and NDPS Act Cases, Pudukkottai. Pending appeal, the sentence was suspended by this Court, by the order dated 12.03.2019, with condition to appear before the above said Special Court on first working day of every month. In the meantime report was called for by this Court from the trial Court as to the compliance of the above said condition by the appellant. Report received stating that the accused has not complied the condition regularly. Hence, this Court directed the Special Court to issue warrant against the appellant and secure him to serve the remaining period of sentence imposed upon him.

3.Now this petition has been filed on the ground that during the Covid-19 lockdown period he could not appear before the trial Court to comply the above said condition. The learned counsel for the petitioner would submit that now the appellant is hospitalized. His son appeared before this Court, today and submitted that his father who is the appellant herein is in hospital now. Even though such



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submission cannot be accepted, he would submit that the appellant will comply the condition regularly. In view of the same, the order passed by this Court dated 21.08.2024 is hereby Recalled.

4. Accordingly, this petition stands allowed.

sd/-
28/10/2024

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/ 11 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
SPECIAL COURT FOR ESSENTIAL COMMODITIES ACT
CASES AND NDPS ACT CASES, PUDUKKOTTAI.

2 THE INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
ANNAVASAL, PUDUKOTTAI DISTRICT.

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

ORDER
IN
CRL.M.P.(MD)No.11559 of 2024
in
CRL.A.(MD)No.495 of 2018
Date :28/10/2024



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PSP/ MMS /SAR /04.11.2024/ 4P/ 4C

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