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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

Friday, the Fifth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU
AND
The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CRL MP(MD). No.16003 of 2023
in
HCP(MD). No.939 of 2023

Alaguselvi
W/o. Palsamy

... Petitioner/Wife of the Detenu

Vs

1 The Superintendent of Police,
Virudhunagar District.

2 The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.

... Respondents

Prayer :-

Criminal Miscellaneous Petition Under Article 226 of the Consitution of India to modify the condition that imposed cost of balance Rs.5000/- in H.C.P.(MD). No.939 of 2023, dated 14.08.2023.

Prayer in HCP(MD)No. No.939 of 2023:-

Habeas Corpus Petition is filed Under Article 226 of Constitution of India to issue a Writ of Habeas Corpus directing the Respondents to secure and produce the person or body of the detenu namely Palsamy,S/o.Krishnasamy, aged about 43 years before this Court.



ORDER:- This 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 M/s. S.Sathya Chidambaram, Advocate for the Petitioner and of M/s. Rms.Sethuraman, Government Advocate for the respondents, this Court made the following order:

[Order of the Court was made by J.NISHA BANU, J.]

“The petitioner has filed this petition to modify the condition imposed by this Court, vide order dated 14.08.2023 in HCP(MD)No.930 of 2023.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. This Court vide order, dated 31.07.2023, dismissed the Habeas Corpus Petition filed by the petitioner by imposing costs of Rs.10,000/- payable by the petitioner within a period of ten days. Subsequently, considering the request made by the petitioner, this Court permitted the petitioner to pay the amount in two equal installments. Subsequently, when the matter was listed on 12.10.2023, it was submitted on the side of the petitioner that the petitioner was able to pay Rs.5,000/- only and for making payment of the balance amount of Rs.5,000/-, time was sought. Since the petitioner is not able to mobilize the fund, the petitioner has filed the present modification petition seeking to modify the condition imposed by this Court



4. Taking into consideration the financial status of the petitioner who is a poor lady, this Court is inclined to modify the costs imposed on the petitioner to that of Rs.5,000/- instead of Rs.10,000/-. Accordingly, this Criminal Miscellaneous Petition is ordered. "

// True Copy //

Sd/-

Assistant Registrar(CS I)

/02/2024

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

TO

- 1 The Superintendent of Police,
Virudhunagar District.
- 2 The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
- 3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER DATED : 05/01/2024

ORDER

CRL MP(MD). No.16003 of 2023
in
HCP(MD). No.939 of 2023
Giving direction and etc.
as stated within.

SSA/09.02.2024 3P 4C

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

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