



Crl.M.P.No.1648 of 2025
in
Crl.A.No.464 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.M.P.No.1648 of 2025

in

Crl.A.No.464 of 2024

1.A.Ganesan
2.Kanimozhi

... Petitioner/A1 & A2

Versus

State Rep by
The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Coimbatore.
(Crime No.19/2003/AC/CB)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 528 of BNSS, praying to relax the condition imposed on the petitioners/appellants that the petitioners shall report before the trial Court on the first working day once in three months until further orders in Crl.M.P.No.10215 of 2024 in Crl.A.No.464 of 2024 dated 22.07.2024.

For Petitioners : Mr.R.Chandrasekaran

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)



Crl.M.P.No.1648 of 2025
in
Crl.A.No.464 of 2024

WEB COPY

ORDER

The petitioners/A1 & A2 in Spl.C.C.No.03 of 2011 were convicted by the trial Court on 28.03.2024, against which, they preferred the above appeal along with suspension of sentence petition in Crl.M.P.No.6797 of 2024. This Court while granting suspension of sentence, directed the petitioners to appear before the trial Court on the first of working day of every month until further orders. Thereafter, the petitioner filed a petition in Crl.M.P.No.10215 of 2024 seeking relaxation of the condition. This Court, by the order dated 22.07.2024, modified the condition directing the petitioners to appear once in three months of English Calendar month commencing from 01.08.2024. Now, the present petition is filed to relax the said condition stating that the petitioners had medical ailments and they are complying with the conditions.

2.The learned Government Advocate strongly opposed the petitioners' contention and submitted that the petitioners were convicted by the trial Court for the offence under Prevention of Corruption Act. The first petitioner during his Government service had amassed wealth. The Medical Certificate presented today is the old Medical Certificate, which was earlier considered by this Court and modified the condition in Crl.M.P.No.10125 of 2024. The



Crl.M.P.No.1648 of 2025
in
Crl.A.No.464 of 2024

same Medical Certificate is now again used for seeking relaxation of the condition.

3.Earlier, this Court taking into consideration the medical ailments of the petitioners had modified the condition directing the petitioners to appear before the trial Court once in three months. This Court finds no reason to further relax this condition for the present.

4.Accordingly, this Criminal Miscellaneous Petition is dismissed.

17.02.2025

Index : Yes/No
Internet : Yes/No
rsi

To

1.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Coimbatore.

2.The Public Prosecutor,
High Court, Madras.



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Crl.M.P.No.1648 of 2025
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Crl.A.No.464 of 2024

M.NIRMAL KUMAR, J.

rsi

Crl.M.P.No.1648 of 2025
in
Crl.A.No.464 of 2024

17.02.2025