

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventeenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice M. SATHYANARAYANAN

and

The Hon`ble Mr Justice N. SESHASAYEE

CRIMINAL MISCELLANEOUS PETITION No.12636 of 2017

IN CRL A.627/2017

SAKTHIVEL,

[PETITIONER/APPELLANT/ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
ROYAKOTTAI POLICE STATION
KRISHNAGIRI DISTRICT
CR.NO.336 OF 2011.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal APPEAL No.627 OF 2017 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed in S.C.No.17 of 2013 dated 06.11.2015 on the file of Additional Sessions Judge, Hosur and enlarge the petitioner on bail, pending disposal of the above Crl.Appeal No.627 of 2017 before this Hon'ble Court.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.627 of 2017 on the file of the High Court and upon hearing the arguments of M/S.R.SANKARASUBBU, Advocate for the petitioner and of MR. R.RAVICHANDRAN, Government Advocate (Crl.Side) on behalf of the Respondent the court made the following order:-

[Order of the Court was made by M.SATHYANARAYANAN, J.]

Mr.R.Sankarasubbu, learned counsel for the petitioner / appellant, in his usual vehemence, made a forceful submission that the case of the prosecution rests upon the circumstantial evidence and the prosecution has miserably failed to link the circumstances pointing out the guilt of the petitioner / appellant.

2 Per contra, Mr.R.Ravichandran, learned Government Advocate [Crl.Side] would contend that the prosecution was able to prove all chain of circumstances connecting the accused with the commission of the crime and would further add that the conviction was recorded as early as on 06.11.2015 and therefore, at this distant point of time,

it cannot be considered.

3 In response to the same, the learned counsel for the petitioner prays the leave of this Court to withdraw this miscellaneous petition and has also made an endorsement in the petition to that effect. He also made a request to expedite the appeal.

4 In the light of the submission and endorsement made by the learned Counsel appearing for the petitioner, this miscellaneous petition is dismissed as withdrawn.

5 The Registry is directed to call for the records in SC.No.17/2013 on the file of the Court of the Additional Sessions Judge, Hosur and prepare the typed set of documents and expedite the final disposal of this appeal.

-sd/-
17/11/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDL. SESSIONS JUDGE,
HOSUR.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ROYAKOTTAI POLICE STATION
KRISHNAGIRI DISTRICT

C.C. to M/S.R.SANKARASUBBU Advocate on payment of necessary charges

Order

in
CRL MP.12636/2017

in
CRL A.627/2017

Date :17/11/2017

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
ths : 23.11.2017