

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Cr1.O.P.No.22288 of 2017

Jaghir Hussain

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
C-4, RGG GH Police Station,
Chennai 600 003.

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the sentences imposed in C.C.Nos.1044, 1045, 1046 and 1047 of 2017 respectively to run concurrently.

For Petitioner : Mr.S.Sridevi

For Respondent : Mr. P.Govindarajan
Additional Public Prosecutor

ORDER

Petitioner herein has been arrayed as an accused in Crime Nos.54, 55, 56 and 57 of 2016 and convicted in C.C.Nos.1044, 1045, 1046 and 1047 of 2017 respectively. By judgments dated 24.05.2017, the learned VIII Metropolitan Magistrate, George Town, Chennai had sentenced the petitioner and imposed three years simple imprisonment for the offence under Section 380 of IPC in all the four cases, since the petitioner had pleaded guilty in all the cases.

2.Learned counsel for the petitioner would submit that the petitioner was initially implicated for offences under Sections 341, 294(b), 336, 427, 397 and 506(ii) of IPC in Crime No.1196 of 2016 and subsequently he was charged under Section 380 of IPC in connection with the Crime Nos.54 to 57 of 2016. It is further submitted that though the above four cases were tried separately and the judgments were delivered by the very same learned judge on the same day, the learned Magistrate had convicted the petitioner to undergo three years simple imprisonment for each one of the cases. The learned Magistrate

had omitted to observe that the sentences shall be ordered to run concurrently. Hence, the present petition has been filed.

3.It is seen that while convicting the petitioner for an offence under section 380 of IPC, three years simple imprisonment was imposed and the learned Magistrate has not granted the relief under Section 427 of Cr.P.C. to the petitioner. Since the petitioner pleaded guilty in all the four cases, I am of the view that a lenient view can be taken by allowing the petitioner to undergo the imprisonment in all the four cases concurrently.

4.In the result, this Criminal Original Petition is allowed and the sentence imposed on the petitioner in C.C.Nos.1044, 1045 , 1046 and 1047 of 2017 are ordered to run concurrently.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The VIII Metropolitan Magistrate,
George Town Chennai.

2.The Inspector of Police,
C-4, RGG GH Police Station,
Chennai 600 003.

3.The Public Prosecutor,
High Court, Madras.

4.The Superintendent Central Prison-II,
Puzhal, Chennai-66

+1 cc to M/s.S.Sridevi Advocate sr 74898

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