

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

Crl.R.C.No.681 of 2018

and

Crl.MP.No.7930 of 2018

Bharath

...Petitioner

Versus

1.The Executive Magistrate-cum-
Deputy Commissioner of Police,
Ambattur District,
Greater Chennai Police,
Ambattur.

2.The Inspector of Police,
Law & Order,
T9 Pattabiram Police Station,
Chennai.

...Respondents

PRAYER: The Criminal Revision Petition filed under Section 397 and 401 of the Criminal Procedure Code, to set aside the order dated 14.05.2018 made in C.No.60/Sec.Pro./DC Amb/2018 on the file of the 1st respondent herein and allow this Criminal Revision petition.

For Petitioner : Mr.A.R.Suresh

For Respondents : Mr.R.Surya Prakash
Government Advocate (Crl.Side)

ORDER

The petitioner has filed this Criminal revision case seeking, to set aside the order dated 14.05.2018 made in C.No.60/Sec.Pro./DC Amb/2018 on the file of the 1st respondent herein and allow this Criminal Revision petition.

2. The learned counsel for the petitioner would vehemently contend that the first respondent had erroneously invoked the powers conferred under Section 111 of The Code of Criminal Procedure especially when the petitioner did not execute any bond or undertaking on 25.01.2018. Therefore, it is the only contention of the counsel for the petitioner that the petitioner never executed any bond undertaking that he will not indulge in any criminal acts for a period of one year as contemplated under

Section 107 of the Code and in the absence of the same, the impugned order cannot be sustained.

3, Today, the learned Government Advocate appearing for the respondent submitted that the xerox copies of the documents, particularly, the bond executed by the petitioner in C.No.60/Sec.pro/DC/Amb/2018 dated 25.01.2018 undertaking not to indulge in any criminal activities for a period of one year and on his failure, he can be sentenced to imprisonment for the remaining period as contemplated under Section 122 (1) of the Code.

3. In the light of the above document, it is clear that the petitioner has specifically executed an undertaking on 25.01.2018 and therefore, the only ground on which the present Criminal Revision Case filed by the petitioner falls to ground. The Criminal revision Case is therefore dismissed as devoid of merits. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The Executive Magistrate-cum-
Deputy Commissioner of Police,
Ambattur District,
Greater Chennai Police,
Ambattur.

2.The Inspector of Police,
Law & Order,
T9 Pattabiram Police Station,
Chennai.

3.The Public Prosecutor,
High court, Madras.

+1cc to Mr.A.R.Suresh, Advocate sr.no.45286

Cr1.R.C.No.681 of 2018
and
Cr1.MP.No.7930 of 2018

nr 16/07/2018