

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Tenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice V. PARTHIBAN

CRIMINAL MISCELLANEOUS PETITION No.11223 of 2018

IN CRL.RC.NO.970/2018

BASHA @ MANIKANDAN,

[PETITIONER]

Vs

1 THE EXECUTIVE MAGISTRATE [RESPONDENTS]
CUM DEPUTY COMMISSIONER OF POLICE,
PULIANTHOPE RANGE,
CHENNAI CITY POLICE.

2 THE INSPECTOR OF POLICE
LAW AND ORDER,
P1, PULIANTHOPE POLICE STATION,
CHENNAI.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal RC. No.970 OF 2018 on the file of the High Court, the High Court will be pleased to suspend the sentence and enlarge the petitioner on bail in C.No.43/Sec.pro/Dc.Puli/2018 on the file of the Executive Magistrate Cum Deputy Commissioner of Police pending disposal of the Revision Petition.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.RC.No.970 of 2018 on the file of the High Court and upon hearing the arguments of MR.K.S.KAVIARASU, Advocate for the petitioner and of MR. PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

This miscellaneous petition has been filed seeking to suspend the execution of sentence imposed on the petitioner, in pursuance of the order passed by the learned Executive Magistrate/Deputy Commissioner of Police, Pulianthope Range, Chennai, dated 21.08.2018, in C.No.43/Sec.Pro/DC.Puli/2018, and enlarge the petitioner on bail till the disposal of criminal Revision.

2.The learned counsel for the petitioner would submit that while passing the impugned order of sentence, no opportunity has been afforded to the petitioner and that the petitioner was unable to put forth his case.

3.Having regard to the facts and circumstances of the case, this miscellaneous petition is allowed and the sentence imposed by the learned Executive Magistrate/Deputy Commissioner of Police, Pulianthope Range, Chennai, dated 21.08.2018, in C.No.43/Sec.Pro/DC.Puli/2018, is suspended and the petitioner is enlarged on bail on condition that he shall execute a bond for a sum of Rs.5,000/- (Rupees Five thousand only) with one surety for a like sum to the satisfaction of V Metropolitan Magistrate, Egmore, Chennai, and also subject to the condition that he should not indulge in any offence. It is also directed that the petitioner shall appear before the Executive Magistrate concerned once in a week i.e. on every Monday at 10.30 a.m. pending disposal of the revision case.

-sd/-

10/12/2018

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 METROPOLITAN MAGISTRATE,
NO.V, EGMORE

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI
[FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE EXECUTIVE MAGISTRATE
CUM DEPUTY COMMISSIONER OF POLICE,
PULIANTHOPE RANGE, CHENNAI CITY POLICE.

6 THE INSPECTOR OF POLICE
LAW AND ORDER, P1, PULIANTHOPE POLICE
STATION, CHENNAI.

+1 C.C. to M/S.K.S.KAVIARASU Advocate on payment of necessary charges-Sr.23602

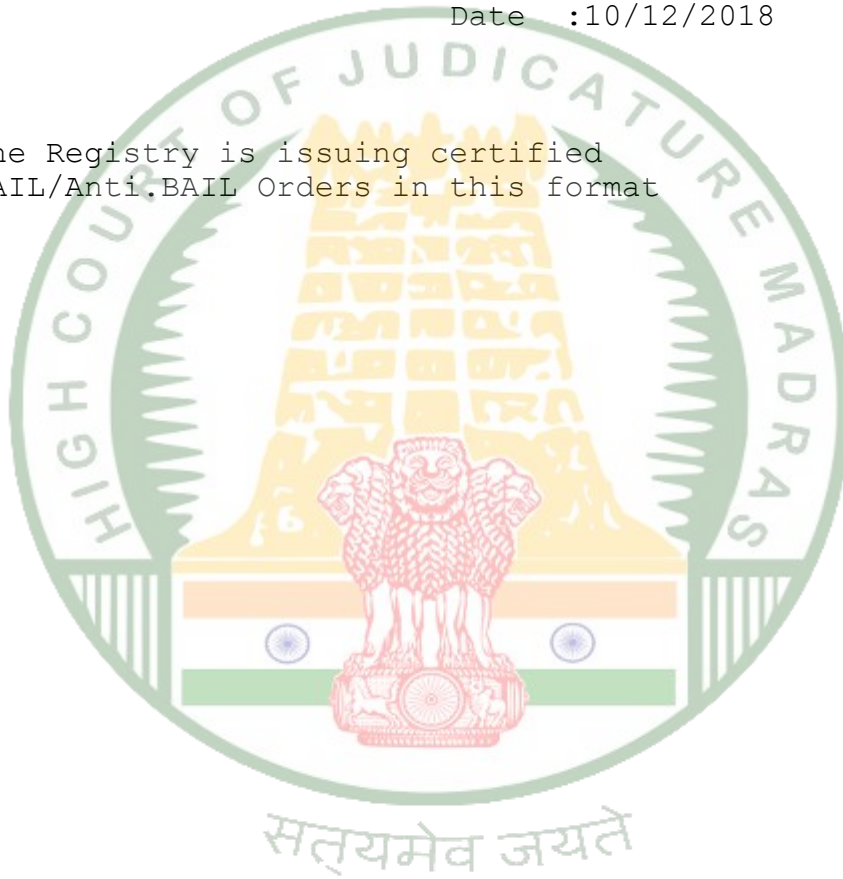
Order

in
CRL MP.11223/2018

IN CRL.RC.NO.970/2018

Date :10/12/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
ths : 12.12.2018



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