

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.11400 of 2018

IN CRL.R.C.NO.982 of 2018

VADIVEL @ METTAI VADIVEL, [PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS, [RESPONDENT/COMPLAINANT]
THE INSPECTOR OF POLICE,
H-6, R.K.NAGAR POLICE STATION,
CHENNAI-64.
(SI.NO.05/2018 U/S 110 CR.P.C)

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to suspend the sentences imposed in the order passed by the Learned Executive magistrate cum Deputy Commissioner of Police Washermenpet District by its proceedings in RC.No.24/Sec.Pro/DCP WPT/2018 dated 20.07.2018.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.K.THENRAJAN, Advocate for the petitioner, and of 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, Washermanpet District, Chennai, dated 20.07.2018, in RC No.24/Sec.Pro/DCP/WPT/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, Washermanpet District, Chennai, dated 20.07.2018, in RC No.24/Sec.Pro/DCP/WPT/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 XV Metropolitan Magistrate, George Town, 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.XV, GEORGE TOWN, CHENNAI.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
H-6 R.K.NAGAR POLICE STATION,
CHENNAI.

5 THE EXECUTIVE MAGISTRATE/
DEPUTY COMMISSIONER OF POLICE,
WASHERMANPET DISTRICT,
CHENNAI.

+1 C.C. to M/S.K.THENRAJAN Advocate on payment of necessary charges SR.NO.23730

Order

in
CRL MP.11400/2018
in
CRL.R.C.No.982/2018

Date :10/12/2018

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TA-13/12/2018



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