

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.12443 of 2018

in CRL.R.C.No.1066 of 2018

JAGAN

[PETITIONER]

Vs

1 THE EXECUTIVE MAGISTRATE CUM
THE DEPUTY COMMISSIONER OF POLICE,
AMBATTUR DISTRICT.

[RESPONDENTS]

2 STATE BY,
THE INSPECTOR OF POLICE,
T6,AVADI POLICE STATION,
AMBATTUR DISTRICT,
CRIME NO. 958 OF 2014.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.R.C.No.1066 of 2018 on the file of the High Court, the High Court will be pleased to Suspend the sentence of imprisonment imposed on the petitioner in the detention order passed against the petitioner to imprisonment for 348 days in the proceedings in CR.No. 345/Sec.Pro/DC Amb/2018 dated 03.05.2018 on the file of the Executive Magistrate cum the Deputy Commissioner of police, Ambattur district and enlarge the petitioner on bail pending disposal of the above CRL.R.C.No.1066 of 2018 [CRL.M.P.No.12443 of 2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL.R.C.No.1066 of 2018 on the file of the High Court and upon hearing the arguments of M/S.S.SILAMBU SELVAN, Advocate for the petitioner, and of Public Prosecutor on behalf of the Respondents, the court made the following order:-

This miscellaneous petition has been filed seeking to suspend the sentence imposed on the petitioner, pursuant to the order passed by the learned Executive Magistrate/Deputy Commissioner of Police, Ambattur District, dated 03.05.2018, in C.No.345/Sec.Pro/DC/Amb/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, Ambattur District, dated 03.05.2018, in C.No.345/Sec.Pro/DC/Amb/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 the Judicial Magistrate No.II, Poonamallee, 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 JUDICIAL MAGISTRATE NO.II
POONAMALLEE

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

5 THE EXECUTIVE MAGISTRATE CUM
THE DEPUTY COMMISSIONER OF POLICE,
AMBATTUR DISTRICT.

6 THE INSPECTOR OF POLICE,
T6, AVADI POLICE STATION,
AMBATTUR DISTRICT

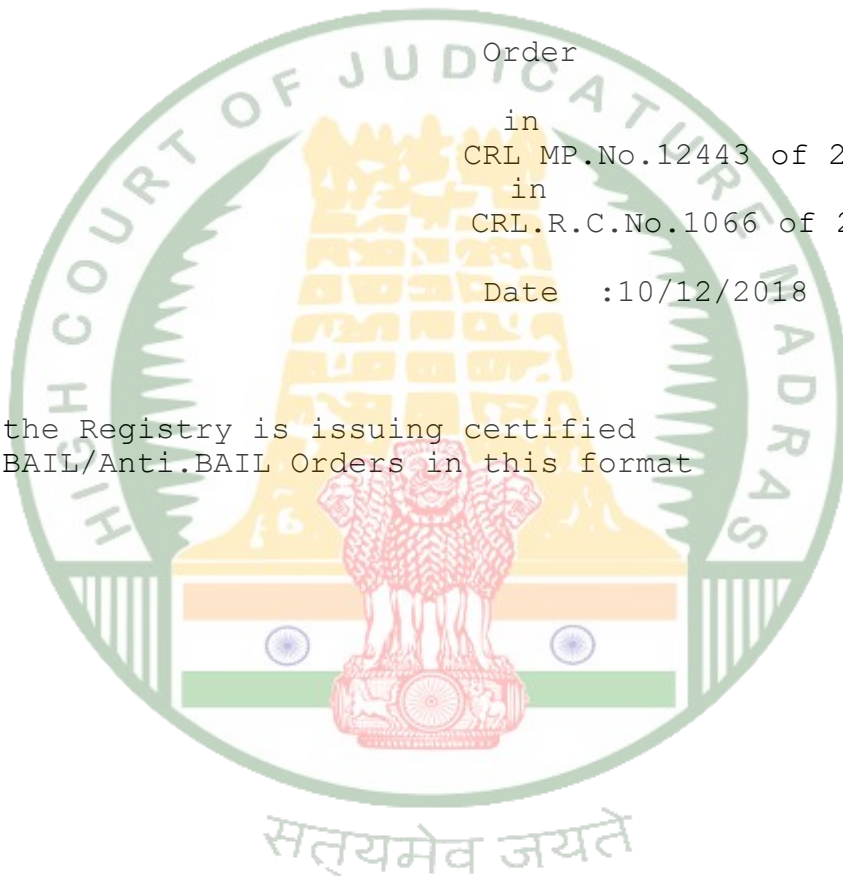
+1C.C. to M/S.S.SILAMBU SELVAN Advocate on payment of necessary
charges SR.NO.23630

Order
in
CRL MP.No.12443 of 2018
in
CRL.R.C.No.1066 of 2018

Date :10/12/2018

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

cm 12/12/2018



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