

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Sixth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.V. MURALIDARAN

CRIMINAL MISCELLANEOUS PETITION No.1343 of 2018

IN CRL RC.165/2018

RAJENDAR SINGH

[ PETITIONER/APPELLANT/ACCUSED]

Vs

S.S.MOHANRAJ

[ RESPONDENT ]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal RC. No.165 OF 2018 on the file of the High Court, the High Court will be pleased to exempt the petitioner from surrendering before the Judicial Magistrate, Fast Track Court at Magisterial Level-II, Coimbatore in C.C.No.301 of 2013 pending disposal of the above CRL.RC.165/2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.RC.No.165 of 2018 on the file of the High Court and upon hearing the arguments of MR.C.D.SUGUMAR, Advocate for the petitioner the court made the following order:-

Petitioner, who stands convicted for offences under Section 138 of Negotiable Instruments Act, seeks exemption from surrendering to custody as a pre-condition for consideration of his bail application moved in the revision case preferred by him before this Court.

2. Considering the facts and circumstances of the case and the earlier decision of this Court in the case of **Easwaramurthy Vs. N.Krishnaswamy (2006) CRI.L.J.4105** which in turn relied on the decision of the Apex Court in **Bihari Prasad Singh Vs. State of Bihar (2000) SCC (Cri) 1380**, this Court considers it appropriate to allow this petition as prayed for. Accordingly, the petitioner shall not be required to surrender before trial Court, as per order dated

06.10.2017 in C.A.No.13 of 2016, pending disposal of the main revision.

-sd/-  
06/02/2018

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,  
FAST TRACK COURT AT MAGISTERIAL LEVEL-II,  
COIMBATORE.

2 THE III, ADDL. DISTRICT AND  
SESSIONS JUDGE, COIMBATORE.

C.C. to M/S.C.D.SUGUMAR Advocate on payment of necessary charges

Order

in  
CRL MP.1343/2018

in  
CRL RC.165/2018

Date :06/02/2018

From 7.2.2001 the Registry is issuing certified  
copies of the BAIL/Anti.BAIL Orders in this format  
ths : 06.02.2018