

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.V. MURALIDARAN

CRIMINAL MISCELLANEOUS PETITION No.3938 of 2018

IN CRL RC.324/2018

R.SENTHIL,

[PETITIONER]

Vs

CHANDRAN,

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to grant exemption to the petitioner from surrender in view of the sentence imposed by an order dated 15.02.2017 in S.T.C.No.221 of 2016 on the file of the Learned Judicial Magistrate, Fast Track Court, Tiruchengode and confirm by the Principal Sessions Judge, Namakkal by an order dated 09.01.2018 in Criminal Appeal No.11 of 2017.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of MR.ILANTHIRAIYAN, FOR M/S.SAI BHARATH AND ILAN, 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

09.01.2018 in CrI.A.No.11 of 2017, pending disposal of the main revision.

-sd/-
16/03/2018

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, TIRUCHENGODE.

2 THE PRINCIPAL SESSIONS JUDGE,
NAMAKKAL.

C.C. to M/S.SAI BHARATH AND ILAN Advocate on payment of necessary charges

Order

in
CRL MP.3938/2018

in
CRL RC.324/2018

Date :16/03/2018

From 7.2.2001 the Registry is issuing certified copies of the BAIL/Anti.BAIL Orders in this format
ths : 16.03.2018