

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty First day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.V. MURALIDARAN

CRIMINAL MISCELLANEOUS PETITION No.4441 of 2018

IN CRL RC.363/2018

M.LAKSHMI

[PETITIONER]

Vs

M/S.SREE GURUVAYURAPPAN CHITS [RESPONDENT]
FUNDS LTD., A COMPANY INCORPORATED UNDER THE
COMPANIES ACT, 1956, HAVING ITS OFFICE AT NO.
10 AND 11, UMPHERSON STREET, II FLOOR,
CHENNAI-600 010,
BY ITS ALLEGED POWER AGENT, SRI.M.SIVADOSS.

Petition praying that in the circumstances stated therein the High Court will be pleased to exempt the petitioner from surrendering before the Learned Magistrate, in pursuant to the conviction and sentence in C.C.No.631 of 2013, on the file of Learned Metropolitan Magistrate, Fast Track Court-IV, George Town, Chennai and suspend the order of XIX Additional Sessions Judge, Chennai, in Crl.A.No.349 of 2017, dated 28.02.2018, pending disposal of the above Criminal Revision Petition.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.T.G.RAVICHANDRAN, 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 28.02.2018 in C.A.No.349 of 2017, pending disposal of the main revision.

-sd/-
21/03/2018

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 METROPOLITAN
MAGISTRATE, FAST TRACK COURT IV, GEORGE TOWN,
CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE XIX ADDITIONAL
SESSIONS JUDGE, CHENNAI

C.C. to M/S.T.G.RAVICHANDRAN Advocate on payment of
necessary charges

Order
in
CRL MP.4441/2018
in
CRL RC.363/2018

Date :21/03/2018

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

MD: 21/03/2018