

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.13304 of 2018

in CRL.RC.NO.1142/2018

MOHANA

[PETITIONER/ACCUSED]

Vs

STATE

[RESPONDENT]

INSPECTOR OF POLICE,
J-11, KANNAKI NAGAR POLICE STATION,
CHENNAI.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal RC No.1142 OF 2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed by the passed by the Executive Magistrate Cum Deputy Commissioner of Police, Adayar range, Chennai in M.P.No.1 of 2018 in Na.Ka.En.277/ Nir.Se.Nadu.Ka.Dhu of Adayar District of 2018 dt.10.09.18 pending disposal of Crl.RC.1142/2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.RC.No.1142 of 2018 on the file of the High Court and upon hearing the arguments of MR.K.SHANMUGAM, Advocate for the petitioner and of MR. PUBLIC PROSECUTOR on behalf of the Respondent 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 10.09.2018, in M.P.No.1 of 2018 in Na.Ka.En.227/Nir.Se.Nadu.Ka.Dhu/Adayar District/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, T.Nagar, Chennai-17, 10.09.2018, in M.P.No.1 of 2018 in Na.Ka.En.227/Nir.Se.Nadu.Ka.Dhu/Adayar District/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 [*] XVI 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.

[*] Amended as per order of this court dated 19/12/2018 made in CrI.MP.NO.17345 of 2018 in CrI.Rc.1142 of 2018 in CrI.MP.NO.13304 of 1142 of 2018

TO

[*] 1 THE XVI METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI

2 THE METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI

3 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI.
[FOR INFORMATION

4 THE SUPERINTENDENT,
SPECIAL PRISON,
FOR WOMEN PUZAL, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
J-11, KANNAKI NAGAR POLICE STATION,
CHENNAI

7 THE EXECUTIVE MAGISTRATE CUM
DEPUTY COMMISSIONER OF POLICE,
ADAYAR RANGE, CHENNAI.

+1 C.C. to K.SHANMUGAM Advocate on payment of necessary charges
-Sr.24388

Order

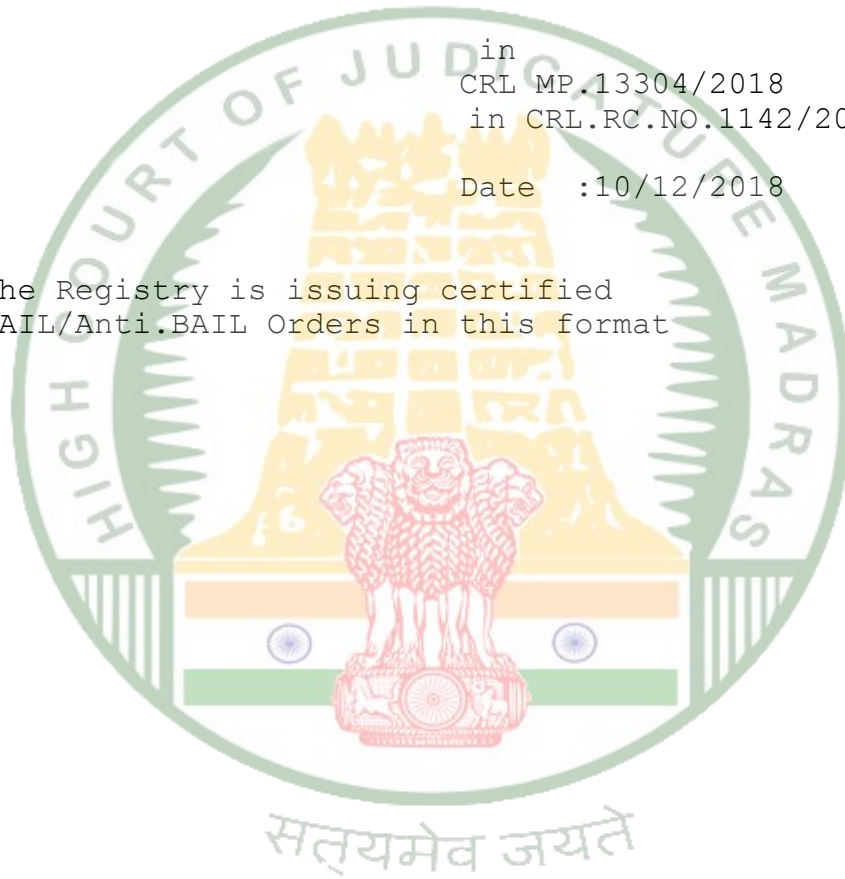
in
CRL MP.13304/2018
in CRL.RC.NO.1142/2018

Date :10/12/2018

From 7.2.2001 the Registry is issuing certified
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ths : 12.12.2018

MLT : 20/12/2018



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