

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.15075 of 2018

in CRL.R.C.No.1286 of 2018

S.PRASANA KUMAR

[PETITIONER]

Vs

1 THE EXECUTIVE MAGISTRATE CUM
DEPUTY COMMISSIONER,
ST.THOMAS MOUNT,
CHENNAI 600 016.

[RESPONDENTS]

2 THE STATE REP BY ITS,
THE INSPECTOR OF POLICE, (LAW AND ORDER),
S-8 ADAMBAKKAM POLICE STATION,
CHENNAI 600 088.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.R.C.No.1286 of 2018 on the file of the High Court, the High Court will be pleased to suspend the conviction and sentence order dated 12.09.2018 passed u/s.122 (1) (b) of Cr.P.C against the M.P.No.529 of 2018 in Na.Ka.No.10/Sec.Pro/Executive Magistrate cum Deputy commissioner-STM/2018 in S-8 Adambakkam police Station Cr.No.342/2018 [CRL.M.P.No.15075 of 2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL.R.C.No.1286 of 2018 on the file of the High Court and upon hearing the arguments of M/S.M.ILLIYAS, Advocate for the petitioner and of MR.G.HARIHARA ARUN SOMA SANKAR Government Advocate 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, by the learned Executive Magistrate/Deputy Commissioner of Police, Thomas Mount, Chennai, dated 12.09.2018, in M.P.No.529 of 2018, in Na.Ka.No.10/Sec.Pro., in S-8, Adambakkam Police Station Crime No.342/2018, 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/2018, St. Thomas Mount, Chennai, dated 12.09.2018, in M.P.No.529 of 2018 in Na.Ka.No.10/Sec.Pro., 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, Alandur, 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.

TO

1 THE JUDICIAL MAGISTRATE,
ALANDUR, CHENNAI

2 THE CHIEF JUDICIAL MAGISTRATE
EGMORE, CHENNAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON - I, CHENNAI

5 THE EXECUTIVE MAGISTRATE CUM
DEPUTY COMMISSIONER OF POLICE,
ST.THOMAS MOUNT,
CHENNAI 600 016.

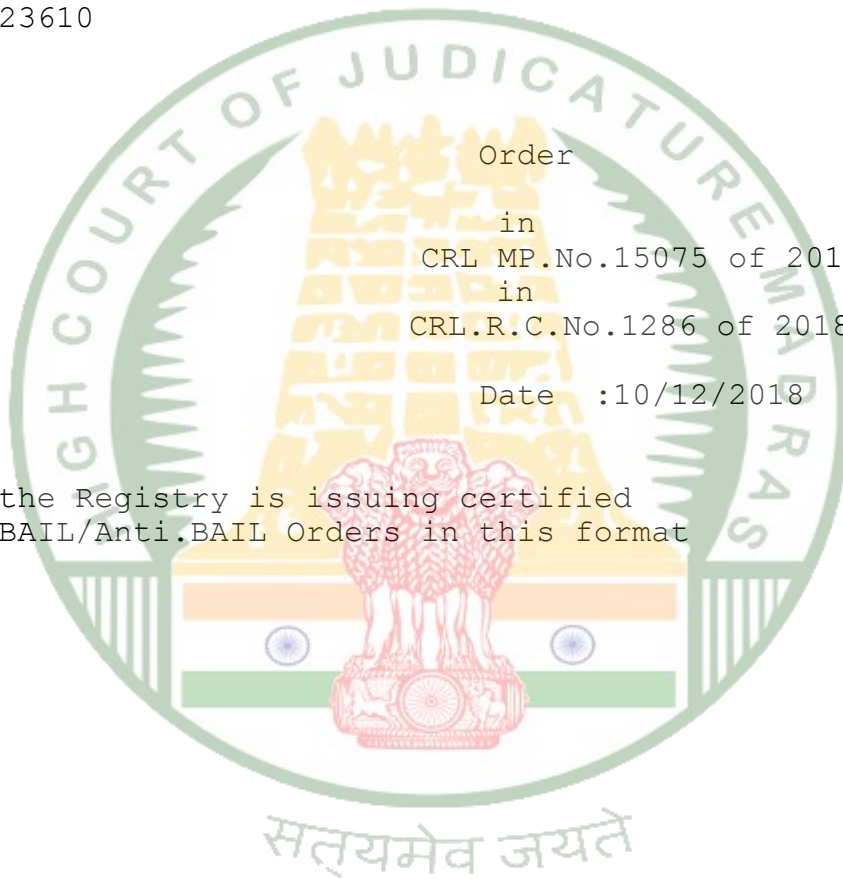
6 THE INSPECTOR OF POLICE, (LAW AND ORDER) ,
S-8 ADAMBAKKAM POLICE STATION,
CHENNAI 600 088.

+1C.C. to M/S.M.ILLIYAS Advocate on payment of necessary
charges SR.NO.23610

Order
in
CRL MP.No.15075 of 2018
in
CRL.R.C.No.1286 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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