

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Eighteenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice V. PARTHIBAN

CRIMINAL MISCELLANEOUS PETITION No.15245 of 2018

IN CRL RC.No.1295 of 2018

MADHAN

[PETITIONER]

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE LAW AND ORDER
H-3, TONDIARPET POLICE STATION,
CHENNAI - 81
SI.NO.32/2018.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.No.1295 of 2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed in the order passed by the Learned Executive Magistrate cum Deputy Commissioner of Police Washermenpet District by its proceedings in M.P.No.1 of 2018 in RC.No.11/Sec.Pro/DCPWPT/107 Cr.P.C/2018 dated 29.10.2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.No.1295 of 2018 on the file of the High Court and upon hearing the arguments of M/S.K.THENRAJAN, Advocate for the petitioner and of MR.G.HARIHARA ARUN SOMA SANKAR Government Advocate on behalf of the Respondent the court made the following order:-

This miscellaneous petition has been filed seeking to suspend the execution of sentence imposed on the petitioner, in pursuance of the order passed by the learned Executive Magistrate/Deputy Commissioner of Police, Washermenpet District, dated 29.10.2018, in M.P.No.1 of 2018 in R.C.No.11/Sec.Pro/DCP WPT/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, Washermenpet District, dated 29.10.2018, in M.P.No.1 of 2018 in R.C.No.11/Sec.Pro/DCP WPT/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 XV Metropolitan Magistrate, 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/-
18/12/2018

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 XV METROPOLITAN MAGISTRATE,
CHENNAI

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE EXECUTIVE MAGISTRATE CUM
DEPUTY COMMISSIONER OF POLICE,
WASHERMENPET DISTRICT

WEB COPY

5 THE INSPECTOR OF POLICE LAW AND ORDER,
H-3, TONDIARPET POLICE STATION,
CHENNAI

+1C.C. to M/S.K.THENRAJAN Advocate on payment of necessary
charges SR.NO.24359

Order

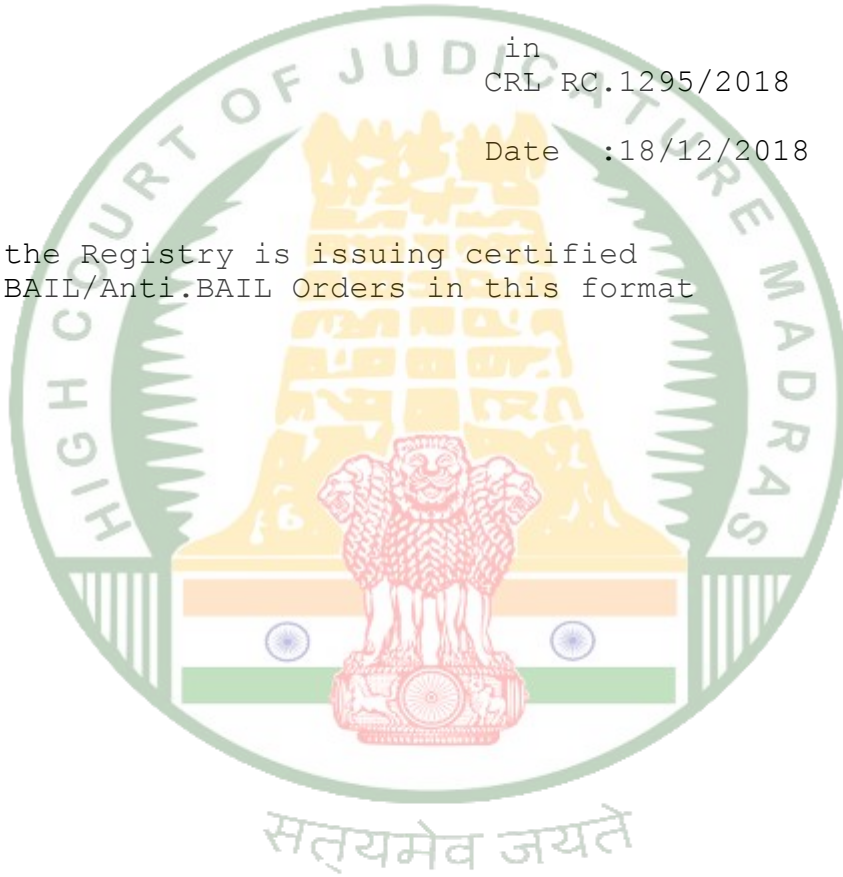
in
CRL MP.15245/2018

in
CRL RC.1295/2018

Date :18/12/2018

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

cm 21/12/2018



WEB COPY