

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.15941 of 2018

in CRL.R.C.No.1371 of 2018

SIVAKUMAR

[PETITIONER /ACCUSED]

Vs

1 EXECUTIVE MAGISTRATE CUM [RESPONDENTS]
DEPUTY COMMISSIONER OF POLICE,
MYLAPORE DISTRICT, CHENNAI.

2 STATE INSPECTOR OF POLICE,
E1, MYLAPORE POLICE STATION,
CHENNAI.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.R.C.No.1371 of 2018 on the file of the High Court, the High Court will be pleased to suspend order of imprisonment passed by the 1st Respondent learned Executive Magistrate, Deputy Commissioner of Police, Mylapore District, Chennai in M.P.No.3 of 2018 in Na.Ka.No.110.Nir.Ch.Nadu.Ka.Thu.Aah/Mylapore/District/2018 [CRL.M.P.No.15941 of 2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL.R.C.No.1371 of 2018 on the file of the High Court and upon hearing the arguments of MR. M.RAJAVELU, Advocate for the petitioner and of Public Prosecutor 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, pursuant to the order passed by the learned Executive Magistrate/Deputy Commissioner of Police, Mylapore District, Chennai, dated 19.11.2018, in M.P.No.3 of 2018, in Na.Ka.No.110 Nir.Ch.Nadu.Ka.Thu.Aah/Mylapore/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, Mylapore District, Chennai, dated 19.11.2018, in M.P.No.3 of 2018, in Na.Ka.No.110 Nir.Ch.Nadu.Ka.Thu.Aah/Mylapore/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 XVIII Metropolitan Magistrate, Saidapet, 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 XVIII METROPOLITAN MAGISTRATE,
SAIDAPET, CHENNAI

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

5 EXECUTIVE MAGISTRATE CUM
DEPUTY COMMISSIONER OF POLICE,
MYLAPORE DISTRICT, CHENNAI.

6 THE INSPECTOR OF POLICE,
E1, MYLAPORE POLICE STATION,
CHENNAI.

+1C.C. to M.RAJAVELU Advocate on payment of necessary charges
SR.NO.23582

Order

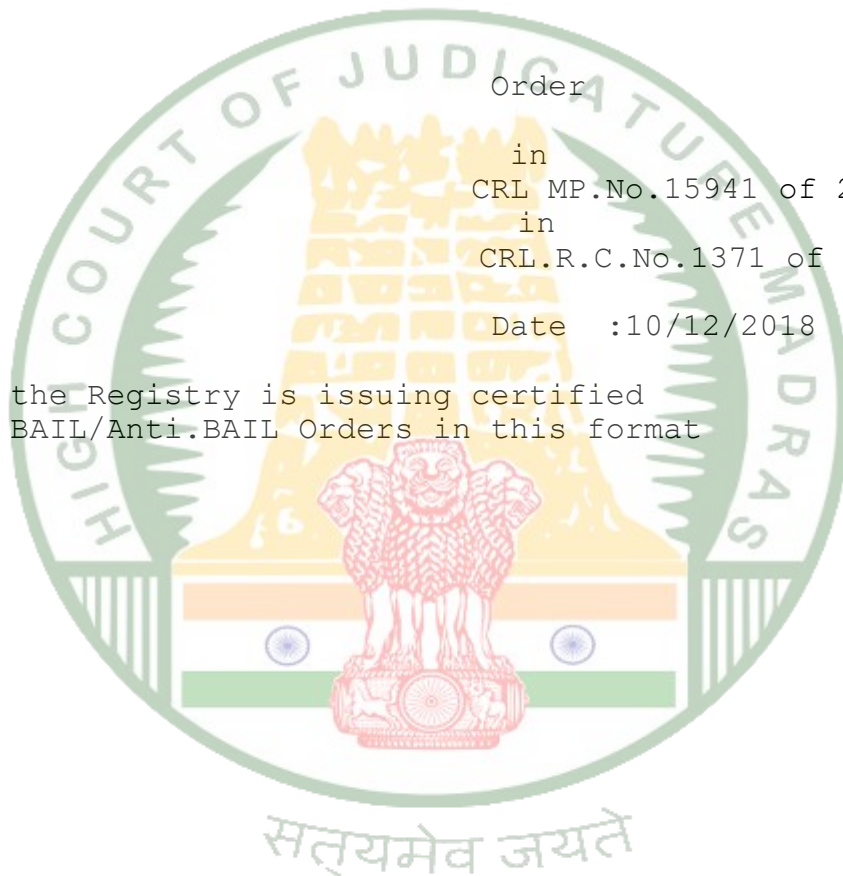
in
CRL MP.No.15941 of 2018

in
CRL.R.C.No.1371 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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