

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Nineteenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice V. PARTHIBAN

CRIMINAL MISCELLANEOUS PETITION No.16975 and 16978 of 2018

IN CRL RC.1450/2018

MUTHUKUMAR

[PETITIONER]

vs

THE STATE REP BY

[RESPONDENT]

INSPECTOR OF POLICE,
TRAFFIC INVESTIGATION WING,
ANUPARPALAYAM POLICE STATION,
THIRUPPUR. CR.NO.110/2016.

Petition praying that in the circumstances stated therein the High Court will be pleased to

(i) call for the records of the learned IInd Additional District and Sessions Judge, Thiruppur in Crl.A.No.33 of 2018 by its Judgment dated 14.08.2018 by which confirming the conviction and sentence imposed by the learned Judicial Magistrate No.III, Thiruppur C.C.NO.92 of 2017 by the Judgment dated 14.3.2018 and set aside the Judgments of the courts below and acquit the petitioner thus render justice. [IN CRL.RC.1450 OF 2018]

(ii) suspend the sentence of Imprisonment passed by the learned IInd Additional District and Sessions Judge, Thiruppur in Crl.A.No.33 of 2018 by the Judgment dated 14.08.2018, by confirming the Judgment and conviction and sentence imposed the learned Judicial Magistrate No.III, Thiruppur in C.C.No.92 of 2017 dated 14.3.2018 and enlarge the Petitioner on bail, pending disposal of the Criminal Revision Case No.1450 of 2018. [IN CRL.MP.NO.16975 OF 2018]

(iii) exempt the Petitioner from surrendet in pursuant to the Judgment dated 14.08.2018 passed by the learned IInd Additional District and Sessions Judge, Thiruppur in Crl.A.No.33 of 2018, by confirming the Judgment and conviction and sentence imposed the learned Judicial Magistrate No.III, Tiruppur in C.C.No.92 of 2017 dated 14.3.2018. [IN CRL.MP.NO.16978 OF 2018]

Order : These petitions coming on for orders upon perusing the petitions and upon hearing the arguments of M/S.D.RAMESHKUMAR, Advocate for the petitioner and of PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

These miscellaneous petitions have been filed seeking to suspend the sentence imposed on the petitioner by judgment dated 14.03.2018 in C.C.No.92 of 2017 by the learned Judicial Magistrate No.III, Thiruppur, which was confirmed by the learned II Additional District and Sessions Judge, Thiruppur in Criminal Appeal No.33 of 2018 dated 14.08.2018, and to exempt the surrender of the petitioner respectively, and enlarge the petitioner on bail, pending disposal of the above criminal revision.

2. Heard both sides.

3. Having regard to the facts and circumstances of the case, these miscellaneous petitions are allowed and the substantive sentence of imprisonment alone is suspended on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate III, Thiruppur. Further, the petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m until further orders.

-sd/-
19/12/2018

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 2ND ADDITIONAL DISTRICT
AND SESSIONS JUDGE, THIRUPPUR.

2 THE JUDICIAL MAGISTRATE,
NO.III, THIRUPPUR.

3 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
TRAFFIC INVESTIGATION WING,
ANUPARPALAYAM POLICE STATION,
THIRUPPUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1C.C. to M/S.D.RAMESH KUMAR Advocate on payment of necessary
charges in SR.NO. 24485

Order

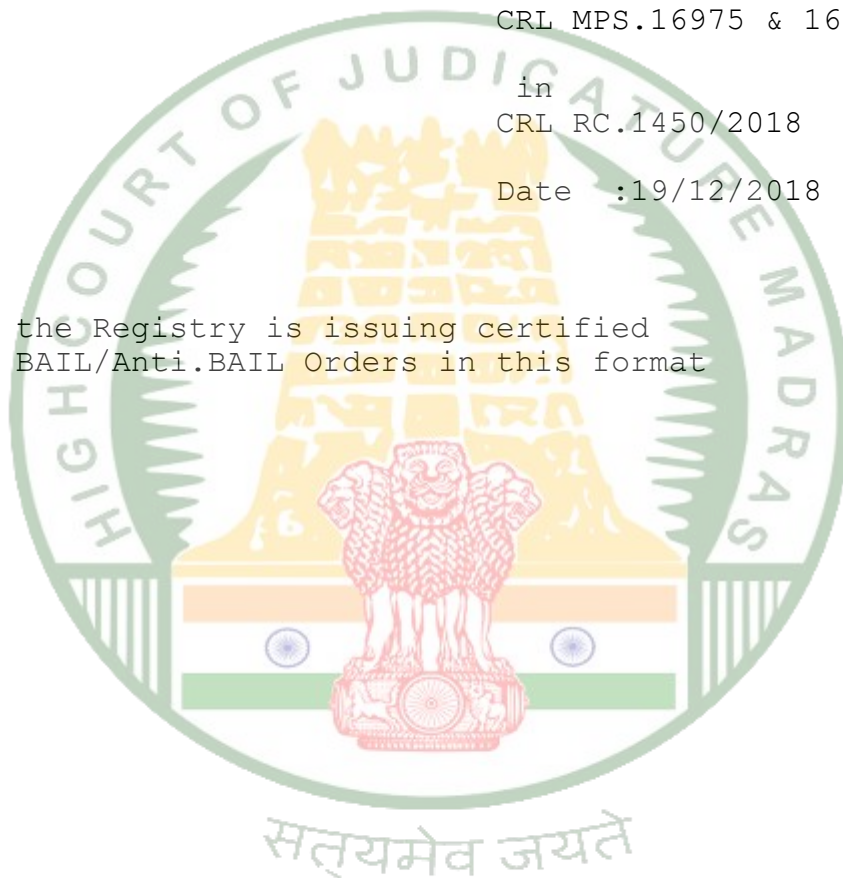
in
CRL MPS.16975 & 16978 OF 2018

in
CRL RC.1450/2018

Date :19/12/2018

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

MLT-21/12/2018



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