

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fourteenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice V. PARTHIBAN

CRIMINAL MISCELLANEOUS PETITION No.17031 of 2018

IN CRL RC.1456/2018

MANIKANDAN @ NALUMANI

[PETITIONER]

Vs

1 EXECUTIVE MAGISTRATE CUM DEPUTY COMMISSIONER OF POLICE,
THIYAGARAYA NAGAR DISTRICT,
CHENNAI. [RESPONDENT]

2 STATE REP BY
INSPECTOR OF POLICE,
E-3, TEYNAMPET POLICE STATION,
CHENNAI-64.

[*}CR. NO. 08 OF 2018 under sec,109 of Cr.P.C.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.1456/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed by the learned Executive Magistrate cum Deputy Commissioner of Police, T.Nagar, Chennai by its proceedings Crl.MP.No.1 of 2018 in Na.Ka.No.189/Nir/Se.Nadu.Ka.Thu.Aa.thi.Maa/2018 dt.14.9.2018. Pending disposal of the main criminal revision petition .[CRL.MP.NO.17031/2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.1456/2018 on the file of the High Court and upon hearing the arguments of M/S.M.SUBASH Advocate for the petitioner, and of public prosecutor 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, Thiyagaraya Nagar District, Chennai, dated 14.09.2018, in M.P.No.1 of 2018, in Na.Ka.No.189/Nir/Se.Nadu.Ka.Thu.Aa.thi.Maa/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 execution of sentence imposed on the petitioner, pursuant to the order passed by the learned Executive Magistrate/Deputy Commissioner of Police, Thiyagaraya Nagar District, Chennai, dated 14.09.2018, in M.P.No.1 of 2018, in Na.Ka.No.189/Nir/Se.Nadu.Ka.Thu.Aa.thi.Maa/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/-

14/12/2018

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 the order of this court dated 20/12/2018 made in CRL.MP.NO.17620 OF 2018 IN CRL.RC.NO.1456 OF 2018.

TO

1 THE METROPOLITAN MAGISTRATE,
NO.XVIII, SAIDAPET, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZZHAL, CHENNAI

4 EXECUTIVE MAGISTRATE CUM DEPUTY
COMMISSIONER OF POLICE, THIYAGARAYA
NAGAR DISTRICT, CHENNAI.

5 THE INSPECTOR OF POLICE,
E-3, TEYNAMPET POLICE STATION,
CHENNAI-64

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S.M.SUBASH Advocate on payment of necessary
charges SR.NO. 24530

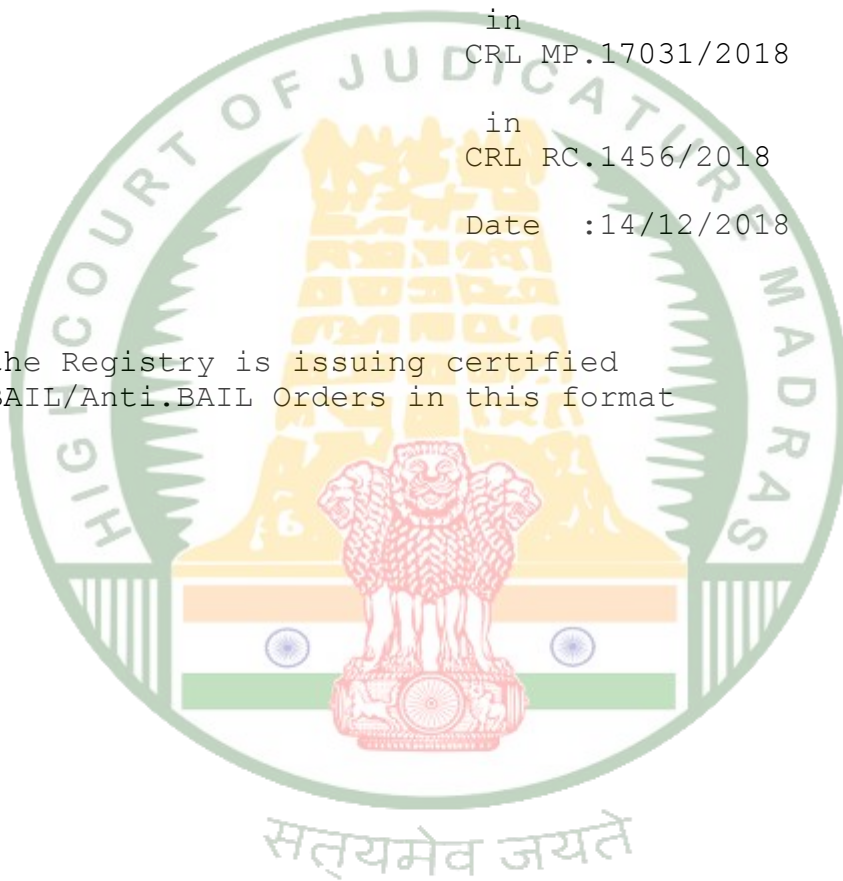
Order

in
CRL MP.17031/2018

in
CRL RC.1456/2018

Date :14/12/2018

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copies of the BAIL/Anti.BAIL Orders in this format
RD 14/12/2018



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