

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.17294 of 2018

IN CRL RC.1474/2018

MANIKANDAN @ SATHISH KUMAR @ [PETITIONER]
SATHISH

Vs

1 THE EXECUTIVE MAGISTRATE CUM [RESPONDENTS]
DEPUTY COMMISSIONER OF POLICE,
WASHERMENPET DISTRICT.

2 STATE
INSPECTOR OF POLICE (CRIME),
N2 KASIMEDU POLICE STATION,
CHENNAI-600 013.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.1474/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence and enlarge the petitioner on bail in M.P.No.1 of 2018 in R.C.No.05/Sec.Pro/DCP WPT/2018 on the file of the 1st respondent pending disposal of the CRL.RC.NO.1474/2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.1474/2018 on the file of the High Court and upon hearing the arguments of MR.E.JAI SHANKAR, Advocate for the petitioner and of MR.G.HARIHARA ARUN SOMASANKAR, GOVERNMENT ADVOCATE [CRL.SIDE] 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 17.09.2018, in M.P.No.1 of 2018 in R.C.No.05/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 17.09.2018, in M.P.No.1 of 2018 in R.C.No.05/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 XVI Metropolitan Magistrate, George Town, 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 XVI METROPOLITAN MAGISTRATE,
EGMORE, GEORGE TOWN, CHENNAI.

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

3 THE EXECUTIVE MAGISTRATE CUM
DEPUTY COMMISSIONER OF POLICE,
WASHERMENPET DISTRICT.

4 THE INSPECTOR OF POLICE (CRIME),
N2 KASIMEDU POLICE STATION,
CHENNAI-600 013.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,

+1C.C. to M/S.E.JAI SHANKAR Advocate on payment of necessary
charges in SR.NO. 24328

Order

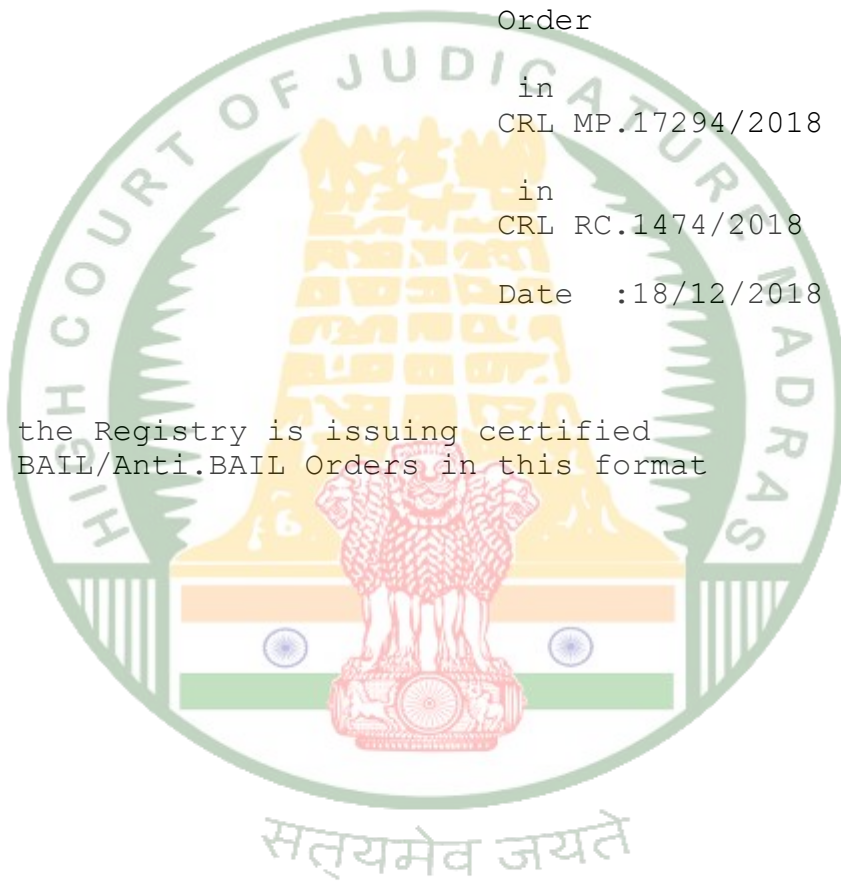
in
CRL MP.17294/2018

in
CRL RC.1474/2018

Date :18/12/2018

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MLT-19/12/2018



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