

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Ninth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice V. PARTHIBAN

CRIMINAL MISCELLANEOUS PETITION No.1405 of 2019

IN CRL RC.158/2019

PANDI @ PANDIAN

[PETITIONER]

Vs

1 THE EXECUTIVE MAGISTRATE
AND DEPUTY COMMISSIONER OF POLICE,
WASHERMENPET DISTRICT.

[RESPONDENTS]

2 THE INSPECTOR OF POLICE,
H-8 TIRUVOTRIUR POLICE STATION,
CHENNAI.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal RC. No.158 OF 2019 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed against the petitioner by the Executive Magistrate and Deputy Commissioner of Police, Washermanpet District dated 19.12.2018 in M.P.NO.1 of 2018 in RC.No.131/Sec.Pro/DC.WPT/2018 and release the petitioner on bail pending disposal of the said Crl.RC.158 of 2019.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.RC.No.158 of 2019 on the file of the High Court and upon hearing the arguments of M/S.V.PARTHIBAN, Advocate for the petitioner and of Mr.G.HARI HARA 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, Washermanpet District, dated 19.12.2018, in M.P.No.1 of 2018, in RC.No.131/Sec.Pro/DC.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, Washermanpet District, dated 19.12.2018, in M.P.No.1 of 2018, in RC.No.131/Sec.Pro/DC.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 the Judicial Magistrate, Thiruvotriur, 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/-
29/01/2019

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 JUDICIAL MAGISTRATE,
THIRUVOTRIYUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE EXECUTIVE MAGISTRATE
AND DEPUTY COMMISSIONER OF POLICE,
WASHERMENPET DISTRICT.

6 THE INSPECTOR OF POLICE,
H-8 TIRUVOTRIUR POLICE STATION,
CHENNAI.

+1 C.C. to M/S.V.PAARTHIBAN Advocate on payment of necessary charges-Sr.1985

Order

in
CRL MP.1405/2019

in
CRL RC.158/2019

Date :29/01/2019

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
ths : 30.01.2019



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