

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fourteenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.10853 of 2018

IN CRL A.230/2018

DURAI,

[PETITIONER/ 1ST APPELLANT]

Vs

STATE OF TAMILNADU REPRESENTED BY [RESPONDENT]
THE INSPECTOR OF POLICE,
KANJANOR POLICE STATION,
VILLUPURAM DISTRICT.
CR.NO.109 OF 2015.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To suspend the sentence passed by the learned Court of Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court) Villupuram in S.C.No. 11 of 2016 dated 8.3.2018 and enlarge the petitioner on bail pending the disposal of the above Criminal Appeal No.230 of 2018.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.M.DEVARAJ, Advocate for the petitioner, and of M/S.KRITIKA KAMAL P. Govt. Advocate (Crl. Side) on behalf of the Respondent, the court made the following order:-

This is the second petition for suspension of sentence and bail. The first petition in Crl.M.P.No.5602 of 2018 was dismissed as withdrawn on 17.04.2018.

2. It is the case of the prosecution that the petitioner was a butcher and he attacked Ananth with an iron rod, since, Ananth left his services and joined his aunt's business. When Ananth was being assaulted, his aunt Ragini interposed and the petitioner is said to have attacked on her head with an iron rod resulting in two injuries: (1) laceration of size 4x3x2 cm and (2) contusion of size 7x6x2 cm in the occipital region.

3. Mrs.P.Kritika Kamal, learned Government Advocate (Crl. Side) submitted that during investigation, the petitioner was granted bail, but, he absconded during trial and NBW was issued against him. He was apprehended by the police only on 05.04.2018.

4. When such is the case of the petitioner, this Court is of the view that this is not a fit case, in which, suspension of sentence and bail can be granted to the petitioner and hence, this petition is dismissed.

However, the Registry is directed to call for the records and prepare typedset of papers and post the matter in the third week of July, under the caption "for final disposal".

-sd/-
14/06/2019

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 SESSIONS JUDGE,
MAGALIR NEETHI MANDRAM
(FAST TRACK MAHILA COURT) VILLUPURAM.

2 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

3 THE INSPECTOR OF POLICE,
KANJANOR POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

C.C. to M/S.M.DEVARAJ Advocate on payment of necessary charges

Order

WEB COPY

in
CRL MP.10853/2018

in
CRL A.230/2018

Date :14/06/2019

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

TA-27/06/2019