

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL MISCELLANEOUS PETITION Nos.12372 & 12373 of 2018

IN CRL.RC.NO.1062 OF 2018

1 ARULKUMAR
2 SHANMUGAM
3 VIJAYAKUMAR
4 VENKATESH

[PETITIONERS]

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
MAGUDANCHAVADI POLICE STATION,
SALEM DISTRICT,
CR.NO.543 OF 2015.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.1062 OF 2018 on the file of the High Court, the High Court will be pleased to

(i) suspend the sentence off imprisonment imposed in the Judgment dated 21.08.2018 made in C.A.No.67 of 2018 on the file of the Learned III Additional Sessions Court, Salem confirming the judgement dated 21.03.2018 made in Sc.No.160 of 2017 on the file of the Learned Assistant Sessions Court, Sankari and enlarge the petitioners on bail pending disposla of the above Criminal Revision Case No.12372 of 2018. [IN CRL.MP.NO.12372 OF 2018]

(ii) grant exemption to the petitioners from surrendering before the trial Court pursuant to the Judgment dated 21.08.2018 made in C.A.No.67 of 2018 on the file of the Learned III Additional Sessions Court, Salem confirming the judgment dated 21.03.2018 made in SC.No.160 of 2017 on the file of the Learned Assistant Sessions Court, Sankari pending disposla of the above Criminal Revision Case NO.1062 OF 2018. [IN CRL.MP.NO.12373 OF 2018]

Order : These petitions coming on for orders upon perusing the petitions and the Memorandum of Grounds in Crl.Revision Case No.1062 OF 2018 on the file of the High Court and upon hearing the arguments of MR.N.MANOKARAN, Advocate for the petitioner and of MR.R.RAVICHANDRAN, GOVERNMENT ADVOCATE [CRL.SIDE] 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 petitioners by judgment dated 21.08.2018 made in C.A.No.67 of 2018 on the file of the learned III Additional Sessions Court, Salem, confirming the judgment dated 21.03.2018 made

in S.C.No.160 of 2017 on the file of the learned Assistant Sessions Court, Sankari, and exemption of surrender, pending disposal of the above criminal revision case. The petitioners/accused were convicted for the offence under Section 395 r/w 511 of IPC and sentenced to undergo rigorous imprisonment for a period of five years with fine of Rs.10,000/- each.

2 In view of the seriousness of the offence committed by the petitioners, this Court is not inclined to entertain the miscellaneous petitions seeking suspension of sentence and exemption of surrender and hence the same is dismissed.

3 Post the main revision on 20.02.2019 for hearing.

-sd/-

05/02/2019

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 III ADDITIONAL SESSIONS COURT, SALEM.

2 THE ASSISTANT SESSIONS COURT, SALEM.

3 THE INSPECTOR OF POLICE, MAGUDANCHAVADI POLICE STATION, SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR HIGH COURT, MADRAS.

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

WEB COPY

Order

in

CRL MP.Nos.12372 & 12373 of 2018
IN CRL.RC.NO.1062 OF 2018

Date :05/02/2019

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