

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 No.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,
THE INSPECTOR OF POLICE,
MAGUDANCHAVADI POLICE STATION,
SALEM DISTRICT,
CR.NO.543 OF 2015.

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to 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 disposal of the above Criminal Revision Case NO.1062 OF 2018.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.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:-

This miscellaneous petition has been 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, 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 petition seeking suspension of sentence 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,
SANKARI.

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.12373/2018
IN CRL.RC.NO.1062 OF 2018

Date :05/02/2019

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