

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL MISCELLANEOUS PETITION No.6451 of 2019

in CRL.R.C.No.416 of 2019

S.ARUL PRAKASAM

[PETITIONER]

Vs

M.APPADURAI

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to exempt the petitioner from surrendering before the Court of Learned Judicial Magistrate, Fast Track Magisterial Level Ambattur Chennai inn STC.No.93 of 2016 dated 31.01.2017 confirming the conviction and sentence passed by the Principal Session Judge at Tiruvallur in C.A.No.24 of 2017 dated 02.11.2018 pending disposal of the CRL.R.C.No.416 of 2019.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.C.V.KUMAR, Advocate for the petitioner, the court made the following order:-

This Criminal Miscellaneous petition has been filed to exempt the petitioner from surrendering in pursuant to the judgement passed by the learned Judicial Magistrate, Fast Track (Magisterial Level), Ambattur, Chennai in STC No.93 of 2016 dated 31.01.2017 confirming the conviction and sentence passed by the Principal Sessions Judge, Thiruvallur in C.A.No.24 of 2017 dated 02.11.2018.

This petition is closed, since suspension of sentence can be granted even if the accused has not surrendered and is not undergoing confinement as per the Judgement of this Court reported in **2008 1 MLJ Cr1 1001 [R.Ramamoorthy Vs. The Inspector of Police, Crime Branch, Erode]**.

-sd/-

08/05/2019

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,
FAST TRACK (MAGISTERIAL LEVEL),
AMBATTUR, CHENNAI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE PRINCIPAL SESSIONS JUDGE
TIRUVALLUR

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

Order

in
CRL MP.6451/2019
in
CRL.R.C.No.416/2019

Date :08/05/2019

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cm 15/05/2019