

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL MISCELLANEOUS PETITION No.6508 of 2019

IN CRL RC.422/2019

GANESAN @ GANESH

[PETITIONER / APPELLANT / A1]

Vs

STATE REP.BY

[RESPONDENT]

THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SOORAMANGALAM,
SALEM DISTRICT.
CR.NO.19/2013.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.422/2019 on the file of the High Court, the High Court will be pleased to exempt the petitioner from surrender in Judgment passed by the learned III Additional Sessions court, Salem in C.A.No.70/2018 dated 20.02.2019 pending disposal of the CRL.RC.NO.422 of 2019

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.422/2019 on the file of the High Court and upon hearing the arguments of M/S.S.SAIRAMAN, Advocate for the petitioner and of M/S.M.PRABHAVATHI, ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondent 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 No.II, Salem in C.C.No.265 of 2017 dated 03.04.2018, confirmed by the learned III Additional Sessions Judge, Salem in Crl.A.No.70 of 2018 dated 20.02.2019.

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/-
09/05/2019

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 III ADDITIONAL SESSIONS COURT,
SALEM.

2 THE JUDICIAL MAGISTRATE,
NO.II, SALEM.

3 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SOORAMANGALAM,
SALEM DISTRICT.

+1C.C. to M/S.S.SAIRAMAN Advocate on payment of necessary charges SR NO.9708

Order

in
CRL MP.6508/2019

in
CRL RC.422/2019

Date :09/05/2019

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MK:13/05/2019