

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.6522 of 2019

in CRL RC.No.424 of 2019

KUMARESAN

[PETITIONER]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
H-1, WASHERMENPET TRAFFIC,
INVESTIGATION WING, CHENNAI.
CRIME NO.178/H1/2014.

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to exempting the petitioner from surrendering in pursuance to the confirmation of the sentence and conviction passed by the Honble II Additional Sessions Judge, Chennai in the judgement dated 08.02.2019 in C.A.No.256 of 2016 confirming the conviction Passed by the Learned III Metropolitan Magistrate, George Town in C.C.No.164 of 2015 dated 16.09.2016 and enlarge the petitioner on bail pending disposal of this main revision in CRL RC.No.424 of 2019.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.R.GANESH KUMAR, Advocate for the petitioner, and of MRS.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 III Metropolitan Magistrate, George Town in C.C.No.164 of 2015 dated 16.09.2016, confirmed by the learned II Additional Sessions Judge, Chennai in Crl.A.No.256 of 2016 dated 08.02.2019.

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 Crl 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 METROPOLITAN MAGISTRATE NO.III,
GEORGE TOWN, CHENNAI

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE II ADDITIONAL SESSIONS JUDGE,
CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
H-1, WASHERMENPET TRAFFIC,
INVESTIGATION WING, CHENNAI

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

Order

in
CRL MP.6522/2019

in
CRL RC.424/2019

Date :09/05/2019

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

cm 14/05/2019