

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.6546 of 2019

IN CRL RC.428/2019

SENTHIL KUMAR

[PETITIONER / APPELLANT / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
N2, KASIMEDU TRAFFIC INVESTIGATION,
CHENNAI.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.428/2019 on the file of the High Court, the High Court will be pleased to exempt the petitioner from surrendering before the Lower court in pursuant to the Judgement passed by the learned XVIII Additional Sessions Judge, Chennai by its Judgement in C.A.No.549 of 2018 dated 19.02.2019 and as confirming the sentenced imposed by the learned III Metropolitan Magistrate, George Town, Chennai, dated 01/10/2018, made in C.C.NO.379 of 2018 [IN CRL.MP.NO.6543 OF 2019]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.428/2019 on the file of the High Court and upon hearing the arguments of M/S.S.PANNEER SELVAN, 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 III Metropolitan Magistrate, George Town, Chennai in C.C.No.379 of 2018 dated 01.10.2018, confirmed by the learned XVIII Additional Sessions Judge, Chennai in Crl.A.No.549 of 2018 dated 19.02.2019.

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 XVIII ADDITIONAL SESSIONS
JUDGE, CHENNAI.

2 THE METROPOLITAN MAGISTRATE,
NO.III, GEORGE TOWN, CHENNAI.

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
N2, KASIMEDU TRAFFIC INVESTIGATION,
CHENNAI.

C.C. to M/S.S.PANNEER SELVAN Advocate on payment of necessary charges

WEB COPY

Order

in
CRL MP.6546/2019

in
CRL RC.428/2019

Date :09/05/2019

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MK:14/05/2019