

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. SATHISH KUMAR

and

The Hon`ble Ms. Justice P.T. ASHA

CRIMINAL MISCELLANEOUS PETITION No.6776 of 2019

in CRL.A.NO.499 OF 2018

MARIMUTHU

[PETITIONER]

Vs

THE INSPECTOR OF POLICE
KONDALAMPATTI POLICE STATION,
SALEM DISTRICT.
CR.NO.626 OF 2012

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Crl.A.NO.499 of 2018 on the file of the High Court, the High Court will be pleased to suspend the sentence which was imposed by the learned III Additional Session Judge, Salem, Salem District in SC No.325 of 2016 dated 22.06.2018 and enlarge the petitioner on bail pending disposal of the above CRL.A.NO.499 OF 2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.NO.499 of 2018 on the file of the High Court and upon hearing the arguments of M/S.A.ARASU GANESAN, Advocate for the petitioner and of M/S P.KRITIKA KAMAL on behalf of the Respondent the court made the following order:-

(Order of the Court was made by N.SATHISH KUMAR,J.)

The Criminal Miscellaneous Petition has been filed by the petitioner to suspend the sentence imposed on him in SC No.325 of 2016 dated 22.06.2018 by the learned III Additional District and Sessions Judge, Salem and release him on bail.

2. In an earlier occasion, the petition filed by the petitioner for suspension of sentence has been dismissed as withdrawn before the Division Bench of this Court on 28.11.2018. Again, the petition filed by the petitioner for the same relief was dismissed by another Division Bench of this Court on 13.02.2019. Now, 3rd time, the petitioner has made an attempt with different Bench.

3. On perusal of the entire materials and the Judgments, particularly the Judgment of the trial Court, we find that the suspension cannot be granted at this stage. If the petitioner is so confident that there is no charge made out against him, the appeal itself can be disposed of at the earliest.

4. Post the appeal for final disposal on 17.06.2019, before the appropriate Bench.

5. With the above observations, this Criminal Miscellaneous Petition is dismissed.

-sd/-

29/05/2019

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 III ADDITIONAL DISTRICT AND
SESSIONS JUDGE, SALEM.

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
KONDALAMPATTI POLICE STATION, SALEM DISTRICT.

C.C. to M/S.A.ARASU GANESAN Advocate on payment of necessary charges

Order

in

CRL MP.6776/2019

in Crl.A.NO.499 of 2018

Date :29/05/2019

From 7.2.2001 the Registry is issuing certified
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rvr 04/06/2019