

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P No.19622 of 2019

Annamalai

... Petitioner/
The detainee

vs.

1. State Rep. by
The Superintendent of Prison,
The Central Prison,
Cuddalore.

2. The Inspector of Police,
Uzhundurpettai Police Station

3. The Inspector of Police,
Elavanur Police Station,
Crime No.209 of 2005

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st respondent to treat the sentences in S.C.No.143 of 2005 dated 29.01.2007 the sentence conformed in Crl A No.75 of 2008 and SC No.97 of 2009 in Crime No.209 of 2005 by the learned Principal District and Sessions Judge, Villupuram District dated 01.02.2010 run concurrently.

For Petitioner : Dr.S.Manoharan

For Respondents: Mr.M.Mohanded Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed for a direction to the 1st respondent to treat the sentence imposed in SC No.97 of 2009 to run concurrently with the sentence imposed in S.C.No.143 of 2005.

2. The learned counsel for the petitioner submitted that the petitioner was already sentenced to life imprisonment in SC No.143 of 2005 by judgement dated 29.01.2009. In an other case in SC No.97 of 2009, the petitioner was again sentenced to life imprisonment. The learned counsel for the petitioner relied upon Section 427 (2) of Cr.PC and submitted that the subsequent conviction and sentence to life imprisonment must run concurrently with the previous sentence imposed in SC No.143 of 2005.

3. The learned counsel for the petitioner submitted that the 1st respondent should be directed to treat the subsequent sentence imposed in SC No.97 of 2009 to run concurrently with the life sentence imposed in S.C.No.143 of 2005.

4. Heard the learned Additional Public Prosecutor appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case, the petitioner is directed to make a representation to the 1st respondent and the 1st respondent shall consider the representation in accordance with law and after taking into consideration the effect of Section 427(2) of Cr.PC.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1. The learned Principal District and Sessions Judge,
Villupuram District.
2. State Rep. by
The Superintendent of Prison,
The Central Prison, Cuddalore.
3. The Inspector of Police,
Uzhundurpettai Police Station
4. The Inspector of Police,
Elavanur Police Station,
Crime No.209 of 2005
5. The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.S.Manoharan , Advocate SR.No. 63051