

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.23376 of 2017

Bala Subramaniam

... Petitioner

Vs.

1. The Director General of Police,
Prison Department,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.

2. The Superintendent of Prisons,
Central Jail, Cuddalore .
- ... Respondents

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to pass an order, the petitioner's son sentences 1) 7 year imprisonment in Crl.A.No.861 of 1999 by the Court on 07.03.2002, 2) Life imprisonment in S.C.No.206 of 1997 by an order dated 29.10.1999, shall run concurrently.

For Petitioner : Mr.P.Saravanan

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed seeking for a relief that sentence imposed on the petitioner's son in S.C.No.206 of 1997 dated 29.10.1999 and in Crl.A.No.861 of 1999 dated 07.03.2002, should run concurrently.

2. The relief sought for by the petitioner is covered by Section 427(2) of Cr.P.C., which categorically states that when a person is already undergoing a sentence of imprisonment for life, is sentenced on a subsequent conviction to imprisonment for a term or imprisonment for life, the subsequent sentence shall run concurrently with such previous sentence.

3. The law on this issue was elaborately considered by this Court in the case [Selvakumar @ Jeyakumar Vs. The Inspector of Police, Seidhunganallur Police Station & others] reported in 2018-2-L.W.(Crl.) 773.

4. In view of the above, no separate order needs to be passed by this Court since the provision itself clearly deals on that aspect and the same has been taken note of in the Judgment cited supra.

5. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

raja
To

1. The Director General of Police,
Prison Department,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.
2. The Superintendent of Prisons,
Central Jail, Cuddalore.
3. The Public Prosecutor, High Court, Madras - 104.

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A.SK(26/07/2019)

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