

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eleventh day of February Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL MISCELLANEOUS PETITION No.13966 of 2019

IN CRL A.NO.657 OF 2019

1RAJA
2 MURUGAN

[PETITIONERS/APPELLANTS]

Vs

THE STATE BY
INSPECTOR OF POLICE,
INDOOR POLICE STATION,
DHARMAPURI DISTRICT,
CRIME NO.222/2015.

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to suspend the sentence imposed on the petitioners by the judgment dated 28.8.2019 passed in S.C.No.7/2018 on the file of the Principal Sessions Judge, Dharmapuri, pending disposal of the above Crl.A.No.657 of 2019.

Order : This petition coming on for orders upon perusing the petition and NO APPEARANCE for the petitioner and of MR. R.SURYA PRAKASH, GOVERNMENT ADVOCATGE [CRL.SIDE] on behalf of the Respondent the court made the following order:-

Today, there is no representation for the petitioner/appellant.

2. On 27.09.2019, this Court in Crl.M.P.No.13966 of 2019, has granted the suspension of sentence, on the following conditions:-

"(i) Each of the petitioners/A1 and A2 shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the Principal Sessions Judge, Dharmapuri.

(ii) The appellants / accused shall report before the Principal Sessions Judge, Dharmapuri, on the first working day of every English Calendar month at 10.30 am., until further orders."

3. A communication received from the learned Principal Sessions Judge, Dharmapuri, dated 01.02.2021, it could be seen that the accused 1 and 2 were not appeared before the trial Court on the first working day of February 2021, i.e, on 01.02.2021 and failed to comply the condition No.(ii) imposed by this Court in Crl.M.P.No.13966 of 2019, dated 27.09.2019, which is clear deliberate and disobedience of the order passed by this Court.

4. Since the appellants have not complied with the conditions imposed by this Court, the order of suspension of sentence passed by this Court dated 27.09.2019 in Crl.M.P.No.13966 of 2019 in Crl.A.No.657 of 2019, shall stand cancelled. The learned Principal Sessions Judge, Dharmapuri is directed to take necessary steps to secure the accused 1 and 2 and commit them to prison to undergo the period of sentence.

5. Post the matter on 02.03.2021 for producing the appellant before this Court.

-sd/-

11/02/2021

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 JUDICIAL MAGISTRATE,
NO.II, DHARMAPURI

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI (FOR INFORMATION)

3 THE PRINCIPAL SESSIONS JUDGE, DHARMAPURI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 INSPECTOR OF POLICE,
INDOOR POLICE STATION,
DHARMAPURI DISTRICT.

C.C. to M/S. I.C.VASUDEVAN Advocate on payment of necessary charges

WEB COPY
Order
in
CRL MP.13966/2019

IN CRL A.NO.657 OF 2019

Date :11/02/2021

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RVR 12/02/2021