

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Thirtieth day of December Two Thousand Nineteen
PRESENT

The Hon`ble Mr Justice G.R.SWAMINATHAN
CRIMINAL MISCELLANEOUS PETITION No.19177 of 2019
IN CRL.RC.NO.1522 OF 2019

V.MAA.RAMESH [PETITIONER / PETITIONER /
PROPRIETORE OF SOLA INTERNATIONAL APPELLANT / ACCUSED]
(OIL STORE)

Vs

K.VALLI [RESPONDENT / RESPONDENT /
RESPONDENT / COMPLAINANT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Crl.RC.No.1522/2019 on the file of the High Court, the High Court will be pleased to exempt the petitioner to surrender before the Appellate Court and judgment dated 23.10.2019 made in C.A.No.390/2018 (On the file of Ist Additional District and Sessions Judge, Erode) confirming the judgment dated 22.11.2018 made in S.T.C.No.459 of 2017 on the file Judicial Magistrate Fast Track Court No.I, Erode.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.RC.No.1522/2019 on the file of the High Court and upon hearing the arguments of M/S.C.S.SARAVANAN, Advocate for the petitioner the court made the following order:-

Petitioner, who stands convicted for an offence under Section 138 of the Negotiable Instruments Act, seeks exemption from surrendering to custody as a pre condition for consideration of his bail application moved in the revision case preferred by him before this Court.

2. Considering the facts and circumstances of the case and the earlier decision of this Court in the case of Easwaramurthy Vs. N.Krishnaswamy (2006) CRI.L.J.4105 which in turn relied on the decision of the Apex Court in Bihari Prasad Singh Vs. State of Bihar (2000) SCC (Cri) 1380, this Court considers it appropriate to allow this petition as prayed for. Accordingly, the petitioner shall not be

required to surrender before the learned Judicial Magistrate, Fast Track Court I, Erode, as per order dated 23.10.2019 in C.A.No.390 of 2018, pending disposal of the main revision.

-sd/-
30/12/2019

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 1ST ADDITIONAL DISTRICT AND
SESSIONS JUDGE, ERODE.

2 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT NO.I, ERODE.

3 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION]

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

Order

in
CRL MP.19177/2019

in
CRL.RC.1522/2019

Date :30/12/2019

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