

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Sixth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice R. MAHADEVAN

CRIMINAL MISCELLANEOUS PETITION Nos.1101 & 1103 of 2020

IN CRL.R.C.No.151 OF 2020

RITHISH

[PETITIONER]

Vs

THE STATE REP. BY

[RESPONDENT]

THE INSPECTOR OF POLICE,

A-4, KARUMATHAMPATTI POLICE STATION,

(CRIME NO.216/2010).

Petitions praying that in the circumstances stated therein the High Court will be pleased to

(i)suspend the order dated 25.07.2019 passed by the learned V Additional District and Sessions Judge, Coimbatore in C.A.No.253 of 2018 confirming the conviction and sentence dated 31.05.2018 passed by the Judicial Magistrate, Sular in C.C.No.352/2017 and enlarge the petitioner in bail pending disposal of the above Crl.RC.No.151 of 2020.(IN CRL.M.P.No.1101 OF 2020)

(ii)exempt the Petitioner from surrender pursuant to the order dated 25.07.2019 passed by the Learned V Additional District and Sessions Judge, Coimbatore in C.A.No.253 of 2018 confirming the conviction and sentence dated 31.05.2018 passed by the Judicial Magistrate, Sular in C.C.No.352/2017 pending disposal of the above Crl.R.C.No.151/2020.(IN CRL.M.P.No.1103 OF 2020)

Order : These petitions coming on for orders upon perusing the petitions and upon hearing the arguments of M/S. K.C.KARL MARX, Advocate for the petitioner and of MR. K.PRABAKAR, ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

These Criminal Miscellaneous Petitions have been filed by the petitioner seeking suspension of the order dated 25.07.2019 passed by the learned V Additional District and Sessions Judge, Coimbatore, in Crl.A.No.253 of 2018 and exemption from surrendering before the trial court, respectively.

2. Heard both sides.

3. Despite several opportunities given to the petitioner to surrender before the trial court and report to this Court, right from 03.02.2020, the petitioner gives lame excuses and comes before this Court, with one after other reasons for not surrendering before the trial court. Hence, this Court is of the view that there is wilful dilatory tactics, want of bona fides, deliberate inaction and negligence on the part of the petitioner. Hence, this Court is not inclined to grant the reliefs of suspension of sentence and exemption from surrendering before the trial court to the petitioner. Thus, these Crl.MPs stand dismissed.

-sd/-

26/02/2020

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,
SULUR

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
A-4, KARUMATHAMPATTI POLICE STATION,

5 V ADDITIONAL DISTRICT AND
SESSIONS JUDGE, COIMBATORE.

C.C. to M/S. K.C.KARL MARX Advocate on payment of necessary charges

WEB COPY

Order
in

CRL MP.Nos.1101 & 1103 of 2020

IN CRL.R.C.No.151 OF 2020

Date :26/02/2020

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RVR 04/03/2020

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