

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixteenth day of September Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice N. KIRUBAKARAN

and

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL MISCELLANEOUS PETITION No.2201 of 2020

IN CRL.A.NO.735 OF 2019

RAJARATHINAM @ RATHINAM

[PETITIONER]

Vs

STATE REP. BY ITS
INSPECTOR OF POLICE,
T.1 AMBATTUR POLICE STATION,
CHENNAI-53.
CR.NO.1286/2013.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Appeal No.735/2019 on the file of the High Court, the High Court will be pleased to suspend the order that the execution of the sentence passed in SC No.223/2016 on the file of the Learned III Additional District and Sessions Judge, Tiruvallur at Poonamallee dated 30.07.2019 enlarge him on bail pending disposal of the above Crl.A.No.735/2019.[CRL.MP.NO.2201/2020]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl. Appeal No.735/2019 on the file of the High Court and upon hearing the arguments of MR.YUVARAJ UMAPATHY FOR M/S.P.PRINCE PREMKUMAR, Advocate for the petitioner and of MR.PRABHAVATHI Addl. Public Prosecutor on behalf of the Respondent the court made the following order:-

(Order of the Court was made by N.KIRUBAKARAN,J.)

This Petition has been filed to suspend the execution of the sentence imposed by the learned III Additional District and Sessions Judge, Tiruvallur at Poonamallee in S.C.No.223 of 2016 dated 30.07.2019 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

2.Heard Mr.Yuvaraj Umapathy, learned Counsel for the Petitioner and Mrs.M.Prabhavathi, learned Additional Public Prosecutor appearing for the respondent.

3.It is evident from the records that the present petitioner who is arrayed as A2 is the main convict whose overt act has caused the

death of the victim. Even though the co-accused have been granted bail, this Court is not inclined to suspend the sentence imposed on the petitioner considering his main role in the commission of offence. Accordingly, this petition is dismissed.

4. Registry is directed to post the Criminal Appeal for final hearing along with Crl.A.No.894 of 2019 in the second week of October, 2020 and further directed to prepare the typed set of papers.

-sd/-

16/09/2020

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,
NO.I, POONAMALLEE, CHENNAI

2 THE III ADDITIONAL DISTRICT AND
SESSIONS JUDGE, TIRUVALLUR

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT
CENTRAL PRISON, PUZHAL, [CONVICTION CELL]
CHENNAI

5 THE INSPECTOR OF POLICE,
T.1 AMBATTUR POLICE STATION,
CHENNAI-53.

C.C. to M/S.P.PRINCE PREMKUMAR Advocate on payment of necessary charges

WEB COPY

Order

in

CRL MP.2201/2020

IN CRL.A.NO.735 OF 2019

Date :16/09/2020

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

RD 24/09/2020

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