

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twentieth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL MISCELLANEOUS PETITION No.4738 of 2021

N CRL RC.832/2020

1 STATE REP.BY [PETITIONER / 1ST RESPONDENT]
THE INSPECTOR OF POLICE (LAW AND ORDER),
S-8, ADAMBAKKAM POLICE STATION,
CHENNAI-600 088.

2 THE EXECUTIVE MAGISTRATE-CUM- [2ND RESPONDENT]
DEPUTY COMMISSIONER OF POLICE,
ST.THOMAS MOUNT DISTRICT,
CHENNAI CITY.

Vs

KUTTY @ KURALARASAN [RESPONDENT / ACCUSED]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to cancel the Suspension of Sentence granted to the Respondent / Accused by this Hon'ble High Court in Crl.M.P.No.5839 of 2020 in Crl.R.C.No.832 of 2020 dated 28.10.2020.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.T.P.SAVITHA, Government Advocate (crl.side) for the Petitioners the court made the following order:-

The petitioner / State has filed the present petition to cancel the suspension of sentence granted to the respondent/accused, by this Court in Crl.M.P.No.5839 of 2020 in Crl.R.C.No.832 of 2020, dated 28.10.2020.

2. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that condition imposed by this Court in paragraph No.13 (ii) in Crl.M.P.No.5839 of 2020 in Crl.R.C.No.832 of 2020, dated 28.10.2020, has not been complied with by the respondent/accused.

3. When the matter came up for hearing, this Court, by an order dated 28.10.2020, suspended the sentence by imposing the following conditions:-

(i) The petitioner shall execute own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) before the Superintendent, Central Prison, Puzhal, Chennai.

(ii) The petitioner shall appear before the first respondent-Police every Monday i.e., from 02.11.2020 at 10.00 a.m., until further orders.

4. However, it is represented by the learned counsel for the petitioner/State that the condition imposed by this Court in paragraph No.13 (ii) has not been complied with. Since the respondent/accused has not complied with the condition imposed by this Court dated 28.10.2020, the suspension of sentence ordered by this Court shall stand vacated. The respondent-Police is directed to secure the accused and commit him to prison to undergo the period of sentence.

-sd/-

20/04/2021

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 INSPECTOR OF POLICE (LAW AND ORDER),
S-8, ADAMBAKKAM POLICE STATION,
CHENNAI-88.

2 THE EXECUTIVE MAGISTRATE-CUM-
DEPUTY COMMISSIONER OF POLICE,
ST. THOMAS MOUNT DISTRICT,
CHENNAI CITY.

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3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON,
PUZHAL, CHENNAI.

C.C. to PUBLIC PROSECUTOR Advocate on payment of necessary
charges

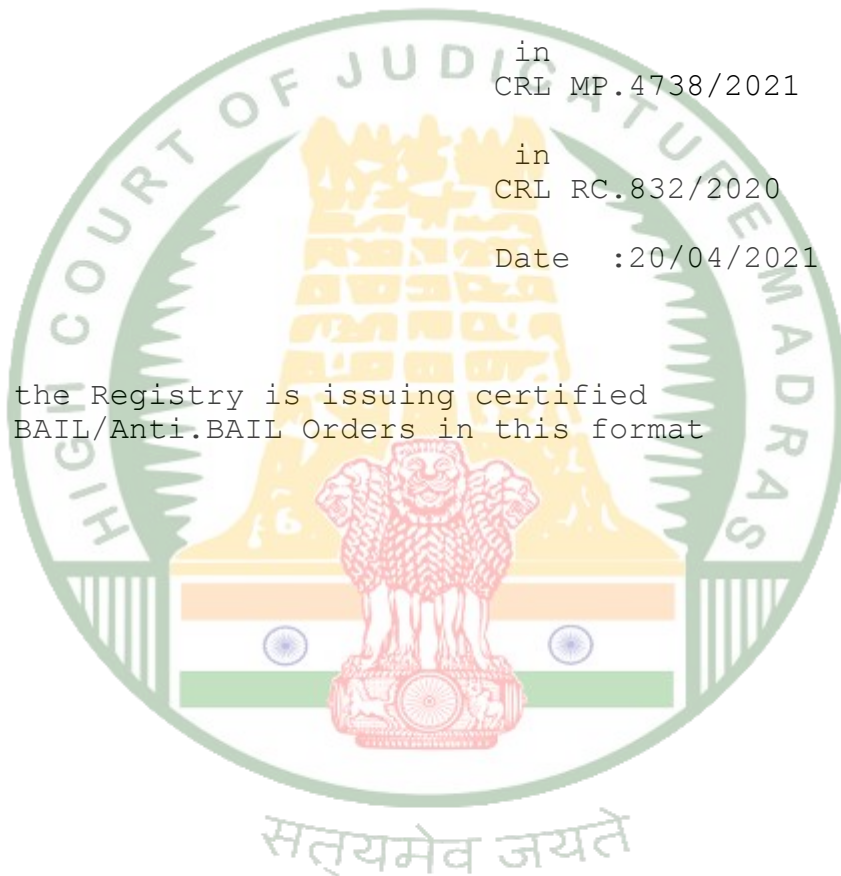
Order

in
CRL MP.4738/2021

in
CRL RC.832/2020

Date :20/04/2021

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