

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Fifth day of February Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

and

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL MISCELLANEOUS PETITION No.1830 of 2020

IN CRL.A.No.92 of 2020

KRISHNA

[PETITIONER / APPELLANT / ACCUSED]

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
SALAVAKKAM POLICE STATION,
CR.NO.615/2014.

[RESPONDENT / RESPONDENT /
COMPLAINANT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Crl.A.No.92/2020 on the file of the High Court, the High Court will be pleased to suspend the execution of the sentence dated 18.12.2019 in S.C.No.49 of 2015 against Petitioner/Appellant/Accused by the Hon'ble Additional Sessions Judge (Fast Track Court), Kanchipuram, Kanchipuram District and the Petitioner/Appellant/Accused who is remanded to the judicial custody after judgment be released on bail pending disposal of the above Crl.A.No.92 of 2020.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.92/2020 on the file of the High Court and upon hearing the arguments of M/S.R.ANBALAGAN, Advocate for the Petitioner and of M/S.K.PRABAKAR, Additional Public Prosecutor on behalf of the Respondent the court made the following order:-

(Order of the Court was Made by P.N.PRAKASH.,J)

This criminal miscellaneous petition has been preferred seeking to suspend the sentence imposed on the petitioner by judgment and order dated 18.12.2019 in S.C.No. 49 of 2015 on the file of the Additional Sessions Judge (Fast Track Court), Kanchipuram, Kanchipuram District and to enlarge the petitioner on bail till the disposal of the appeal.

2. It is the case of the petitioner that on account of previous quarrel, the petitioner is alleged to have murdered the deceased by attacking with stone. Under normal circumstances, in a case of this nature, where the prisoner is in custody since his conviction and sentence from 18.12.2019, he would have granted suspension of sentence and bail. However, in this case, the petitioner is undergoing sentence of seven years for the offence under Section 397 IPC in respect of the incident, wherein he is said to have attacked an old lady with a stone and had robbed her thali and nose stud. In the latter case, the petitioner stands convicted and sentenced by the Sub Court, Kanchipuram in S.C.No.50 of 2015.

3. In view of the aforesaid antecedents of the petitioner, this Court is not inclined to grant suspension of sentence and bail. Hence this miscellaneous petition stands dismissed.

Registry is directed to call for the records from the trial Court and post the appeal for final disposal in the fourth week of March, 2021.

-sd/-

25/02/2021

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 ADDITIONAL SESSIONS JUDGE,
(FAST TRACK COURT),
KANCHIPURAM, KANICHPURAM DISTRICT.

2 THE SUB COURT,
KANCHIPURAM.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
SALAVAKKAM POLICE STATION.

6 THE SECTION OFFICER,
CRIMINAL SECTION,
HIGH COURT, MADRAS.

+1 C.C. to M/S.R.ANBALAGAN Advocate on payment of necessary charges
SR.No.2295

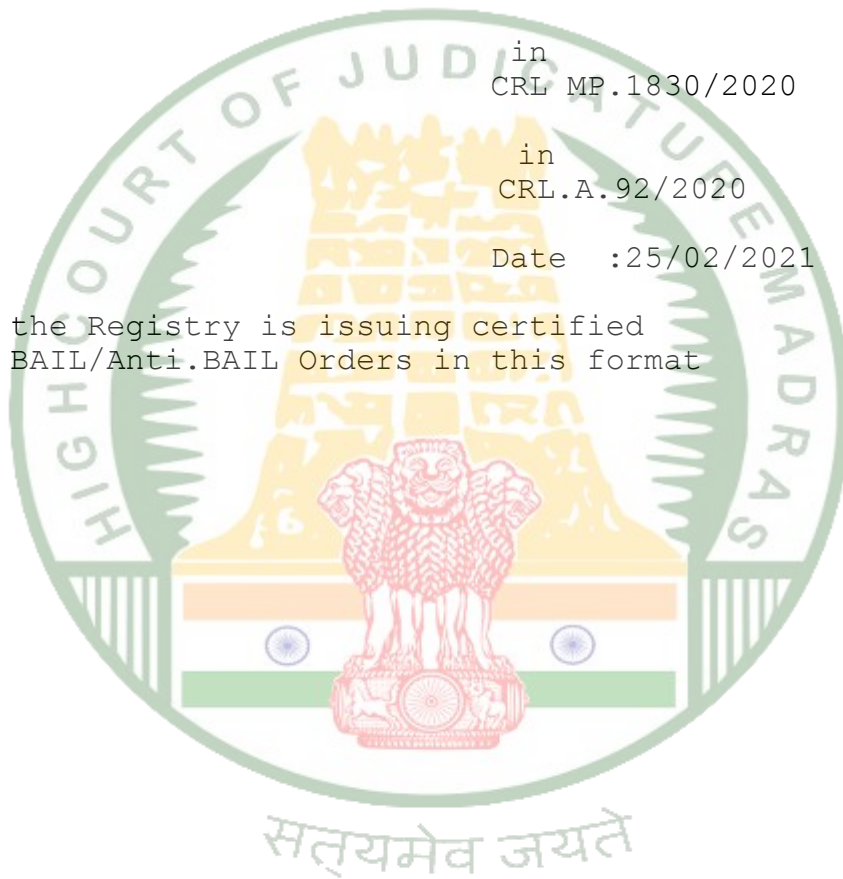
Order

in
CRL MP.1830/2020

in
CRL.A.92/2020

Date :25/02/2021

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
cs 02/03/2021



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