

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirtieth day of June Two Thousand Twenty One

PRESENT

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

AND

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

CRIMINAL MISCELLANEOUS PETITION No.6462 of 2021

IN CRL A.851/2019

1 ARUMUGAM
2 PRIYA

[PETITIONERS]

Vs

STATE BY
THE INSPECTOR OF POLICE,
KATPADI POLICE STATION,
VELLORE DISTRICT.
CR.NO.395/2017.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.A.No.851/2019 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed by the learned Additional District and sessions Judge (FTC), Vellore, Vellore district dated 04.11.2019 in S.C.No.226/2018 and enlarging them on bail pending disposal of the above appeal in Crl.A.851/2019.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.851/2019 on the file of the High Court and upon hearing the arguments of M/S.N.SUDHARSAN, Advocate for the petitioners and of M/S.R.MUNIYAPPARAJ, Govt. Advocate (Crl side) 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 filed seeking to grant suspension of sentence imposed on the petitioner by judgment and order dated 04.11.2019 passed in S.C.No.226 of 2018 on the file of the Additional District and Sessions Court, (Fast Track Court), Vellore and to enlarge him on bail pending disposal of the appeal.

2. It is seen from reading of the trial Court judgment that the petitioner/accused absconded from the trial Court on 19.06.2019 and only after the issuance of Non Bailable Warrant by the trial Court, he was arrested and confined in judicial custody on 13.08.2019.

3. Thus, the conduct of the petitioner/accused before the trial Court cannot be countenanced. If the petitioner/accused is granted suspension of sentence and bail, he is likely to abscond for good and therefore, this criminal miscellaneous petition stands dismissed.

-sd/-
30/06/2021

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 DISTRICT AND SESSIONS JUDGE (FTC),
VELLORE, VELLORE DISTRICT.

2 THE INSPECTOR OF POLICE,
KATPADI POLICE STATION,
VELLORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, VELLORE DISTRICT.

C.C. to M/S.N.SUDHARSAN Advocate on payment of necessary charges
Order

in
CRL MP.6462/2021
in
CRL A.851/2019

Date :30/06/2021

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MN-05/07/2021