



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2021

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Crl.R.C.No.473 of 2021 and
Crl.M.P.No.7688 of 2021

Chinnavar

... Petitioner/Accused

..VS..

1. The Executive Magistrate and
Deputy Commissioner of Police,
Adyar, Chennai - 20.
2. The Inspector of Police,
J-11 Kannagi Nagar Police Station,
Greater Chennai.

.. Respondents

Criminal Revision Case filed under Section 397 & 401 of Criminal Procedure Code, to call for the records pertaining to the proceedings of the first respondent Vide M.P.No.06 of 2021 dated 30.04.2021 in Na.Ka.No.29/SE.Nadu & KA.DHU.AA./Adyar/2021 and set aside the same and release the petitioner Chinnavar S/o.Murugan aged 26 years, who is confined in Central Prison, Puzhal, Chennai.

For Petitioner : Mr.C.V.Kumar

For Respondents : Mr.S.Sugendran
Govt. Advocate (Crl.Side)

O R D E R

(The case has been heard through video conference)

On 25.02.2021, when the second respondent police were in rounds, found the petitioner in a suspicious manner and took to the Police Station. On verification, it came to know that the petitioner has involved in various cases in Crime Nos.1697/2016, 1151/2017, 1450/2017, 93/2020 and 1103/2020 and hence on precautionary measures, initiated proceedings under Section 110 Cr.P.C. summoned him to appear before the first respondent.



Accordingly, the petitioner appeared before the first respondent and executed a bond under Section 110 of Cr.P.C to keep good conduct. Subsequently, on 19.04.2021, violating the undertaking in the bond, involved in the ground case. Hence the petitioner was arrested and remanded to judicial custody and subsequently upon satisfying with the report filed by the second respondent police, the first respondent passed the order imposing sentence to undergo the remaining period of undertaking in the bond executed by him, which is impugned in the present revision case.

2 Heard the learned counsel appearing on either side and perused the materials available on record.

3 It is seen that the petitioner previously involved in Crime Nos.1697/2016, 1151/2017, 1450/2017, 93/2020 and 1103/2020 and hence bond was executed by the petitioner under Section 110 of Cr.P.C and since he violated the undertaking given in the bond, he was arrested and remanded to judicial custody. The first respondent has given sufficient opportunities to the petitioner and he also engaged a counsel and after hearing the counsel only, the first respondent has passed the order cancelling the bond and imposing sentence to undergo remaining period of undertaking given in the bond.

4 This Court is of the view that after following all the procedures only the first respondent has passed the order, since during the period of undertaking, he involved in other case. Further, the petitioner also engaged a counsel and sufficient opportunities have been extended to the petitioner. Therefore this Court, does not find any reason to set aside the order of the first respondent.

5 Accordingly, the criminal revision petition stands dismissed. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

cg

To

1.The Judicial Magistrate No.2,
Alandur.



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