



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2021

CORAM:

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

Cr1.M.P.No.10681 of 2021

in

Cr1.R.C.No.652 of 2021

Anand @ Lotta Anand

... Petitioner/Accused

Vs.

1.The Executive Magistrate-cum-Deputy Commissioner of Police,
Washermenpet District,
Chennai.

2.The State rep. By
The Inspector of Police,
H.6 R.K.Nagar Police Station,
Chennai - 600 021.

... Respondents/Complainant

PRAYER: Criminal Miscellaneous petition has been filed under Section 397(1) of Cr.P.C., praying to suspend the sentence imposed against the petitioner by the First Respondent viz., the Executive Magistrate cum Deputy Commissioner of Police, Washermenpet District in M.P.No.48 of 2021 in LIR No.737/Sec.Pro/DCP WPT/2020 dated 22.09.2021 and release the petitioner on bail pending disposal of the Criminal Revision Petition.

For Petitioner : Mr.D.Sam Nandha Kumar

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed seeking suspension of sentence imposed against the petitioner by the First Respondent viz., the Executive Magistrate cum Deputy Commissioner of Police, Washermenpet District in M.P.No.48 of 2021 in LIR No.737/Sec.Pro/DCP WPT/2020 dated 22.09.2021 and release the



petitioner on bail pending disposal of the Criminal Revision Petition. The petitioner/accused has been convicted and sentenced by the Executive Magistrate cum Deputy Commissioner of Police, Washermenpet District, to undergo the remaining period of imprisonment of 89 days for violation of the bond executed in pursuance of the recommendation made by the second respondent.

2. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.

3. Now, since this revision has been filed, the substantive sentence of imprisonment imposed by the learned the Executive Magistrate cum Deputy Commissioner of Police, Washermenpet District is suspended with the following conditions:

(a) The petitioners shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Executive Magistrate cum Deputy Commissioner of Police, Washermenpet District, within fifteen days from the date of receipt of a copy of this order;

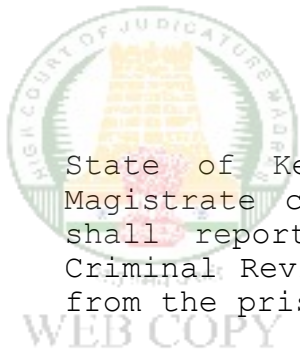
(b) While executing the bond, the sureties shall furnish proof of identity and the sureties shall affix their photographs and left thumb impression in the surety bond. The learned Judicial Magistrate shall obtain a copy of their Aadhar card or Voter Identity Card or Driving license or PAN Card or Bank Pass Book with photo affixed and attested by Bank Manager, to ensure their identity to the satisfaction of the learned Executive Magistrate cum Deputy Commissioner of Police, Washermenpet District, Chennai.

(c) On release on bail the petitioners shall not influence, threaten or coerce the witnesses either during trial;

(d) the petitioners shall not abscond during trial;

(e) the petitioner shall appear on the first working day of every month before the learned the Executive Magistrate cum Deputy Commissioner of Police, Washermenpet District, till the disposal of this Criminal Revision by this Court;

(f) on breach of any of the aforesaid conditions, the learned Executive Magistrate cum Deputy Commissioner of Police, Washermenpet District is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Executive Magistrate cum Deputy Commissioner of Police, Washermenpet District himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs.



State of Kerala [(2005) AIR SCW 5560]. The learned Executive Magistrate cum Deputy Commissioner of Police, Washermenpet District shall report the matter to the High Court for dismissal of the Criminal Revision and the petitioner shall face the criminal revision from the prison.

-sd/-
12/10/2021

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 EXECUTIVE MAGISTRATE CUM
DEPUTY COMMISSIONER OF POLICE, [TO SUBMIT YOUR REPORT]
WASHERMENPET DISTRICT, CHENNAI.

2 XV METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI.

3 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
H.6 R.K. NAGAR POLICE STATION,
CHENNAI-600 021.



COPY TO:

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

C.C. to Mr.D.Sam Nandha Kumar Advocate on payment of necessary charges

Order

in
CRL MP.10681/2021

in
CRL.R.C.No.652/2021

Date :12/10/2021

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

RW 18/10/2021