



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2021

CORAM:

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.M.P.No.10678 of 2021

in

Crl.R.C.No.650 of 2021

Raja

... Petitioner/Accused

Vs.

1.The Sub-Divisional Magistrate-cum-  
Revenue Divisional Officer,  
Kallakurichi District,  
Kallakurichi.

2.The Inspector of Police,  
Sankarapuram Police Station,  
Kallakurichi District.

... Respondents

PRAYER: Criminal Miscellaneous petition has been filed under Section 397(1) of Cr.P.C., praying to suspend the execution of the order passed against the petitioner on 01.09.2021 in Na.Ka.A3.No.1443 of 2021 passed by the first respondent and subsequently, order to enlarge the petitioner on bail.

For Petitioner : Mr.S.N.Arunkumar

For Respondent : Mr.A.Gokulakrishnan  
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed seeking suspension of the execution of the order passed against the petitioner on 01.09.2021 in Na.Ka.A3.No.1443 of 2021 by the first respondent and subsequently, order to enlarge the petitioner on bail. The Sub-Divisional Magistrate-cum-Revenue Divisional Officer, Kallakurichi District, had ordered the petitioner/accused to undergo the remaining period of imprisonment upto 12.07.2022 for violation of the bond executed by him.

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 Sub-Divisional Magistrate-cum-Revenue Divisional Officer, Kallakurichi District, is suspended with the following conditions:

WEB COPY (a) The petitioner 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 Judicial Magistrate, Sankarapuram, Kallakurichi 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 Judicial Magistrate, Sankarapuram, Kallakurichi District;

(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 Sub-Divisional Magistrate-cum-Revenue Divisional Officer, Kallakurichi District, till the disposal of this Criminal Revision by this Court;

(f) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/ Trial Court 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 Judicial Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]. The learned Judicial Magistrate 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 SUB-DIVISIONAL MAGISTRATE-CUM-  
REVENUE DIVISIONAL OFFICER,  
KALLAKURICHI DISTRICT.

2 THE JUDICIAL MAGISTRATE,  
SANKARAPURAM,  
KALLAKURICHI DISTRICT. [TO SUBMIT TO YOUR REPORT]

3 THE CHIEF JUDICIAL MAGISTRATE,  
VILUPPURAM DISTRICT (FOR INFORMATION).

4 THE INSPECTOR OF POLICE,  
SANKARAPURAM POLICE STATION, KALLAKURICHI  
DISTRICT.

5 THE PUBLIC PROSECUTOR,  
HIGH COURT, MADRAS.

6 THE SUPERINTENDENT,  
CENTRAL PRISON, PUZHAL.

COPY TO

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

C.C. to Advocate on payment of necessary charges

Order

in  
CRL MP.10678/2021  
in  
CRL.R.C.No.650

Date :12/10/2021

From 7.2.2001 the Registry is issuing certified  
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INBA-18/10/2021