



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of December Two Thousand Twenty One

PRESENT

The Hon`ble Ms Justice R.N. MANJULA

CRIMINAL MISCELLANEOUS PETITION No.11057 of 2021

IN CRL A.187 of 2018

SARAVANAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
N2 KASIMEDU POLICE STATION,
CHENNAI-600 013
CR.NO.920 OF 2012.

[RESPONDENT / COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to extent the period of suspension of the sentence granted by this Honourable Court in Crl.M.P.No.9092 of 2021 in Crl.A.No.187 of 2018 by order dated 27.09.2021 for another 3 months and thus render justice.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.M.ANANDARAJ, Advocate for the petitioner and of M/S. A.GOPINATH, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

On 22.11.2021, this Court passed the following order:

"The learned counsel for the petitioner produced the medical documents to show that the petitioner got admitted once again in the hospital on 08.11.2021 and discharged on 13.11.2021. But however, he was advised to come for review next week.



2. The learned Government Advocate (Crl.side) for the respondent submitted that there are nearly 10 cases pending against the petitioner and no extension of suspension of sentence should be granted.

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3. However, the learned counsel for the petitioner sought only short accommodation of two weeks.

4. Considering the mutual submissions, the suspension of sentence is extended for another period of two weeks on the following condition.

5. On completion of the above period of interim suspension of sentence, the petitioner/accused should surrender before the Superintendent of Prisons, Central Prison-I (Convict), Chennai-600 066 on 07.12.2021. If the petitioner does not comply the condition and goes on seeking further extension, the suspension of sentence will be cancelled immediately.

6. List the matter on 07.12.2021."

2. When the matter was called today, the learned Government Advocate (Crl.Side) appearing for the respondent, on instructions submitted that so far the petitioner has not surrendered before the Superintendent of Prisons, Central Prison-I (Convict), Chennai-600 066 in compliance with the earlier direction given in the order dated 22.11.2021. Hence, he is not entitled to enjoy the order of suspension and it is liable to cancelled.

3. Accordingly, the order of suspension of sentence granted on 27.09.2021 shall stand cancelled. The learned Trial Judge is directed to issue Non-bailable Warrant to secure the petitioner and send him to prison for undergoing the punishment already imposed.

4. In view of the above direction, this Criminal Miscellaneous Petition is disposed of.

5. List the main Appeal after two weeks under the caption "For Final Hearing".

-sd/-

07/12/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE VII ADDITIONAL SESSIONS JUDGE
CHENNAI

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2 THE SUPERINTENDENT
CENTRAL PRISON-1 (CONVICT),
PUZHAI, CHENNAI-600066

3 THE INSPECTOR OF POLICE,
N2 KASIMEDU POLICE STATION,
CHENNAI. 600 013

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

C.C. to M/S.M.ANANDARAJ Advocate on payment of necessary
charges

Order

in
CRL MP.11057/2021

in
CRL A.187/2018

Date :07/12/2021

From 7.2.2001 the Registry is issuing certified
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RW 10/12/2021