



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2021

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

CRL R.C. (MD)No.778 of 2021

and

CRL M.P. (MD)No.9138 of 2021

Ramanadhan

.. Petitioner /Detenu

Vs.

1.The Sub-Divisional Magistrate/
The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Pudukkottai District.

2.The Inspector of Police,
Arandhangi Police Station,
Pudukkottai District.

3.The Superintendent of Prison,
Trichy Central Prison,
Trichy.

.. Respondents

Prayer : This Revision Case is filed under Sections 397 r/w. Section 401 of Cr.P.C., to call for the records connected with the order passed by the first respondent in M.C.47/2021/A2 dated 09.08.2021 against the petitioner namely Ramanadhan, son of Subbaiya, Male, aged about 33 years who is detained at central prison, Trichy.

For Petitioner

: Mr.K.M.Karunakaran

For Respondents

: Mr.K.Sanjay Gandhi
Government Advocate

ORDER

This Criminal Revision has been filed to set against the order passed by the first respondent, in M.C.47/2021/A2.

2. The second respondent referred the case in Crime No. 12 of 2021 under Section 110 of Cr.P.C before the first respondent. On 05.07.2021, the petitioner has executed a bond to maintain good behavior for a period of six months. But, subsequently, on 01.08.2021 a case in Crime No.894 of 2021, under Section 8(c) r/w. 20(b) (ii) (B) NDPS Act, was registered against the petitioner. At the request of the second petitioner, the first petitioner initiated



proceedings under Section 122(1)(b) of Cr.P.C. and passed the impugned order in M.C.47/2021/A2.

3. On the side of the petitioner, it is stated, that copies were not furnished to the petitioner. No opportunity was given to the petitioner and the petitioner is in custody from 09.08.2021 onwards and the period of sentence will be over by 04.01.2022 and prayed the impugned order to be set aside.

4. On the side of the prosecution, it is stated, that the petitioner is having 23 previous cases which are still pending. If the sentence is suspended, there is possibility for the petitioner to commit similar offence again and prayed the petition to be dismissed.

5. A perusal of the impugned order reveals that copies were not furnished to the petitioner. No enquiry was conducted. No witness was examined and no opportunity was given to the petitioner. Hence, this impugned order passed by the first respondent is set aside. This Criminal Revision Petition is directed to be released forthwith, unless his presence is required in any other case. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mga/csm

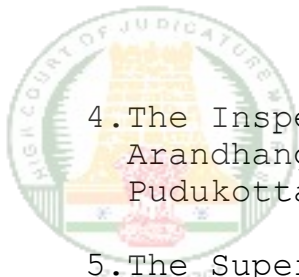
NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Pudukottai.

2.The Superintendent of Police,
Pudukottai.

3.The Sub-Divisional Magistrate/
The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Pudukkottai District.



4.The Inspector of Police,
Arandhangi Police Station,
Pudukottai District.

5.The Superintendent of Prison,
Trichy Central Prison, Trichy.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.M. KARUNAKARAN, Advocate (SR-34494[F]
dated 15/11/2021)

CRL R.C. (MD) No. 778 of 2021

and

CRL M.P. (MD) No. 9138 of 2021

15.11.2021

SVN(CO)

GC/SKN(16.11.2021) 3P 8C