



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.DURAI SWAMY

and

The Hon`ble Mr Justice SUNDER MOHAN

CRIMINAL MISCELLANEOUS PETITION No.298 of 2022

IN CRL.R.C.No.38 of 2022

GANESAN

[PETITIONER / RESPONDENT]

Vs

1 THE SUB DIVISIONAL MAGISTRATE CUM
REVENUE DIVISIONAL OFFICER,
KANCHIPURAM,
KANCHIPURAM DISTRICT.

[1st RESPONDENT]

2 THE INSPECTOR OF POLICE,
PROHIBITION AND ENFORCEMENT WING (PEW),
KANCHIPURAM,
KANCHIPURAM DISTRICT.

[2nd RESPONDENT / PETITIONER]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Suspend the Sentence imposed upon the Petitioner in Na.Ka.No.2878/2021/A1 dated 16.12.2021 by the Sub Divisional Magistrate cum Revenue Divisional Officer, Kanchipuram, Kanchipuram District and enlarge the petitioner on bail pending disposal of the above CRL.R.C.No.38 of 2022 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.K.G.SENTHILKUMAR, Advocate for the petitioner and of MR.S.SUGENDRAN, Additional public Prosecutor on behalf of the Respondents the court made the following order:-



(Order of the Court made by SUNDER MOHAN, J)

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by the 1st respondent in Na.Ka.No.2878/2021/A1, dated 16.12.2021.

2. This Revision along with a batch of Revisions have been referred to us for deciding two questions.

3. The learned counsel appearing for the petitioner submits that since the petitioner is in incarceration from 16.12.2021, suspension of sentence may be granted to the petitioner.

4. We have heard Mr.S.Sugendran, learned Additional Public Prosecutor appearing for the respondents.

5. Since the reference may take time for disposal, we are of the view that it is just and necessary that the substantive sentence of imprisonment alone can be suspended on certain conditions.

6. Accordingly, till the disposal of the criminal revision, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum to the satisfaction of the Sub Divisional Magistrate cum Revenue Divisional Officer, Kanchipuram and on further condition that the petitioner shall appear before the said Magistrate at 10.30 a.m. on the first working day of every English Calender month, pending revision.

This Criminal Miscellaneous petition is disposed of accordingly.

-sd/-
29/06/2022

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,,
KANCHIPURAM, KANCHIPURAM DISTRICT.



2. THE INSPECTOR OF POLICE,
PROHIBITION AND ENFORCEMENT WING (PEW),
KANCHIPURAM, KANCHIPURAM DISTRICT.

3. THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI

4. THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S.K.G.SENTHILKUMAR Advocate on payment of necessary
charges SR.NO.10312

Order
in
CRL MP.298/2022
in
CRL RC.38/2022

Date :29/06/2022

From 7.2.2001 the Registry is issuing certified
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JPA 29/06/2022