



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Tenth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. SESHASAYEE

CRIMINAL MISCELLANEOUS PETITION Nos.1346 & 1347 of 2022

IN CRL.R.C.NO.151 of 2022

ARUN KUMAR

[PETITIONER IN BOTH THE PETITIONS]

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
AMMAPET POLICE STATION,
SALEM DISTRICT.
(CRIME NO.133 OF 2013)

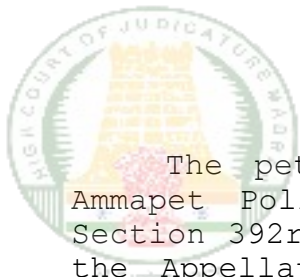
[RESPONDENT IN BOTH THE PETITIONS]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To suspend the sentence imposed on him by the learned Assistant Sessions Judge-Cum-Chief Judicial Magistrate, Salem, Salem District in S.C.No.64/2017 by judgment dated 06/11/2019 as confirmed by the Appellate court in C.A.No.238/2019 on the file of the Learned Principal Sessions Judge, Salem, Salem District by Judgment dated 24/06/2020 and enlarge him on bail pending disposal of the above Crl.R.C.151 of 2022. (CRL.M.P.NO.1346/2022)

(ii) To Grant Exemption of Surrender of the petitioner herein before the learned Principal Sessions Judge, Salem, Salem District on the date of judgment in C.A.No.238/2019 dated 24/06/2020 in confirming the conviction and sentence passed by the learned Assistant Sessions Judge-Cum-Chief Judicial Magistrate, Salem, Salem District in S.C.No.64/2017 by judgment dated 06/11/2019 in respect of the offence under section 392 read with 397 IPC. (CRL.M.P.NO.1347/2022)

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.S.ARIVAZHAGAN, Advocate for the petitioner, [IN BOTH THE PETITIONS] and of MR.L.A.J.SELVAM, Government Advocate (Crl.Side) on behalf of the Respondent, [IN BOTH THE PETITIONS] the court made the following order:-



The petitioner is arrayed as A1 in Crime No.133 of 2013 of Ammapet Police Station, Salem which is filed for offences under Section 392r/w 397, 392 r/w 114 IPC. Both the trial Court as well as the Appellate Court have found him guilty of the offences under Section 392 r/w 397 IPC and sentenced him to undergo rigorous imprisonment of 7 years and to pay a fine of Rs.1,000 I/d simple imprisonment for three months.

2.Mr.L.A.J.Selvam, learned Government Advocate takes notice for the respondent.

3.Given the gravity of the offence, this Court is not inclined to allow these petitions. Accordingly, both the petitions are dismissed.

-sd/-

10/02/2022

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 ASSISTANT SESSIONS JUDGE
CUM-CHIEF JUDICIAL MAGISTRATE, SALEM.

2 THE PRINCIPAL SESSIONS JUDGE
SALEM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
AMMAPET POLICE STATION,
SALEM DISTRICT.

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

Order

in

CRL MP.1346 & 1347/2022

in

CRL RC.151/2022

Date :10/02/2022

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TA-16/02/2022