



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

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

WEB COPY

PRESENT

The Hon`ble Mr Justice M. DURAISWAMY

and

The Hon`ble Mr Justice SUNDER MOHAN

CRIMINAL MISCELLANEOUS PETITION No.2713 of 2022

IN CRL RC.270/2022

SURESH

[PETITIONER/RESPONDENT]

Vs

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

[RESPONDENT NO.1]

2 THE INSPECTOR OF POLICE
B3 KANCHI TALUK POLICE STATION,
KANCHIPURAM,
KANCHIPURAM DISTRICT.

[RESPONDENT NO.2/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.3124/2021/A1 dated 03.02.2022 by the Sub Divisional Magistrate cum Revenue Divisional Officer, Kanchipuram, Kanchipuram District and enlarge the Petitioner on bail pending disposal of the above CRL RC.270/2022.

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. K.G.SENTHIL KUMAR, Advocate for the petitioner and of M/S.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.3121/2021/A1, dated 03.02.2022.



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 03.02.2022, 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 INSPECTOR OF POLICE
B3 KANCHI TALUK POLICE STATION,
KANCHIPURAM, KANCHIPURAM DISTRICT.



3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S. K.G.SENTHIL KUMAR Advocate on payment of
necessary charges SR.NO. 10313

Order

in
CRL MP.2713/2022

in
CRL RC.270/2022

Date :29/06/2022

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RW-29/06/2022