



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.5057 of 2022

IN CRL.R.C.No.500 of 2022

SEBASTIN DANIEL

[PETITIONER/APPELLANT]

Vs

1 THE EXECUTIVE MAGISTRATE
& DEPUTY COMMISSIONER OF POLICE,
MADHAVARAM CIRCLE,
MADHAVARAM HIGH ROAD,
CHENNAI-600 060.

[RESPONDENT]

2 THE INSPECTOR OF POLICE
M-3, PUZHAI POLICE STATION,
CHENNAI-600 006.

[RESPONDENT/COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Enlarge the petitioner on bail and suspend the sentence of detention passed by the 1st respondent vide his proceeding in M.P.No.2/2022 dated 12.03.2022 in R.C.No.294/Sec.Pro./DCP MVM/2021 pending disposal of the above Crl.R.C.No.500 of 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.RAJA RAVI VARMA, Advocate for the petitioner, and of M/S.S.SUGENDRAN, Additional Public Prosecutor, on behalf of the Respondent, 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 vide his proceedings in M.P.No.2 of 2022 in R.C.No.294//Sec.Pro/DCP MVM/2021 Na.Ka.No.3525/2021/A1, dated 12.03.2022.

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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 12.03.2022, 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 V Metropolitan Magistrate Court, Egmore, Chennai and on further condition that the petitioner shall appear before the said court 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 METROPOLITAN MAGISTRATE,
NO.V, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]



3 THE EXECUTIVE MAGISTRATE
DEPUTY COMMISSIONER OF POLICE,
MADHAVARAM CIRCLE,
MADHAVARAM HIGH ROAD, CHENNAI.

4 THE INSPECTOR OF POLICE
M-3, PUZHAL POLICE STATION,
CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+2 C.C. to M/S. S.RAJA RAVI VARMA Advocate on payment of
necessary charges SR.NO.10268

Order

in
CRL MP.5057/2022
in
CRL RC.500/2022

Date :29/06/2022

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TA-29/06/2022