



WEB COPY



Crl.O.P No.16798 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2022

CORAM :

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.16798 of 2021

1.S.Karthick

2.G.Palraj

... Petitioners

Vs

State, represented by
Sub Inspector of Police
Fairlands Police Station
Salem City.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to set aside the order dated 16.08.2021 passed in Crl.M.P No.344
of 2021 in C.A.No.23 of 2021 on the file of the III Additional District
Judge, Salem.

For Petitioners : Mr.N.Premalatha

For Respondent : Mr.A.Damodaran for R1
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed, seeking to set aside
the order of the learned III Additional District Judge, Salem dated
16.08.2021, made in Crl.M.P No.344 of 2021 in C.A.No.23 of 2021.



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2. Heard the learned counsel for the petitioners and the learned

Additional Public Prosecutor for the respondent.

3. The petitioner is the accused ,who was convicted for an offence under Section 392 IPC in the case in C.C No.115 of 2016 tried before the Judicial Magistrate No.V, Salem; subsequently, the petitioner had filed a petition in Crl.M.P No.344 of 2021 in C.A.No.23 of 2021 before the III Additional District Judge, Salem seeking for suspension of sentence and the said petition was dismissed; aggrieved over that, this criminal original petition has been filed.

4. The records would show that the judgment of the learned Magistrate was passed on 23.02.2021 . The punishment imposed was to undergo imprisonment for one year R.I and fine of Rs.1000/- , in default to undergo one month imprisonment. So far, the appeal has not yet been taken up for final disposal. Hence, I feel it is appropriate to direct the III Additional District Judge, Salem to dispose the appeal itself within a period of four weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Criminal Original Petition is disposed of .

16.11.2022

Index : Yes/ No
Speaking Order: Yes/No
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To

1. The III Additional District Judge,
Salem.
2. The Sub Inspector of Police
Fairlands Police Station
Salem City.
3. The Public Prosecutor
High Court of Madras.



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R.MANJULA, J

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