



WEB COPY



Crl.M.P.No.18943 of 2022
in
Crl.R.C.No.1569 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

CORAM :

THE HON'BLE MR.JUSTICE V. SIVAGNANAM

Crl.M.P.No.18943 of 2022
in
Crl.R.C.No.1569 of 2022

Saranraj @ Gidangalan

... Petitioner

Versus

1.The Sub Divisional Executive
Magistrate cum Sub-Collector,
Tindivanam.

2.Inspector of Police,
Rosanai Police Station,
Tindivanam Taluk

... Respondents

Prayer: Criminal Miscellaneous Petition filed under Sections 397(1) of the Code of Criminal Procedure to suspend the sentence passed by the Sub-Divisional Executive Magistrate cum Sub-Collector, Tindivanam in his proceedings Na.Ka.A.1/5639/2022, (எம்.ஃபி.அ.1/112/2022), dated 15.10.2022, pending disposal of the above Criminal Revision Petition and enlarge him on bail.

For Petitioner : Mr.A.N. Rajan

For Respondents : Mr.C.E.Pratap, Govt. Advocate (Crl. Side)

ORDER



Crl.M.P.No.18943 of 2022
in
Crl.R.C.No.1569 of 2022

WEB COPY

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking to suspend the sentence passed by the Sub-Divisional Executive Magistrate cum Sub-Collector, Tindivanam in his proceedings Na.Ka.A.1/5639/2022, (எம்.ஈ.அ.1/112/2022), dated 15.10.2022, pending disposal of the above Criminal Revision Petition and enlarge him on bail.

2. The learned counsel for the petitioner submitted that the allegation stated in the impugned proceedings is untrue and he is not involved in any crime. Therefore, directing the petitioner to furnish security for keeping good behaviour under section 110 Cr.P.C., is unsustainable. Now it is under challenge.

3. Now the petitioner is in prison for violating the the bond executed under Section 110 Cr.P.C., as directed by the Sub Divisional Executive Magistrate cum Sub-Collector, Tindivanam. Hence he seeks to enlarge him on bail till the disposal of this revision .

4. When the matter was taken up, the learned Govt. Advocate (crl.side) appearing for the respondents objected to release the petitioner on bail.



Crl.M.P.No.18943 of 2022
in
Crl.R.C.No.1569 of 2022

5. I have considered the submissions made on both side and perused the materials available on record.

6.The Sub Divisional Executive Magistrate cum Sub-Collector, Tindivanam on the request of the respondent police, conducted enquiry and thereafter he directed the petitioner to execute a bond for keeping good behaviour for a period of one year from 22.09.2022 to 21.09.2023. The reason stated by the 1st respondent Magistrate is now under challenge. In these circumstances, I am inclined to grant bail to the petitioner till the disposal of the criminal revision conditions.

7. Accordingly, the petitioner is ordered to be released on bail on the following conditions:-

(i) The petitioner shall execute own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) before the Superintendent, Central Prison, Cuddalore.

(ii)The petitioner shall appear before the second respondent Police everyday at 5.30 p.m., until further orders.



Crl.M.P.No.18943 of 2022
in
Crl.R.C.No.1569 of 2022

WEB COPY

8. The Superintendent, Central Prison, Cuddalore is directed to set the petitioner at liberty, if his further detention is no longer required in connection with any other case or proceedings.

9. The Criminal Miscellaneous Petition is ordered accordingly.

15.12.2022

Index : yes/no
Speaking order/Non-speaking order
msr

To

1.The Sub Divisional Executive
Magistrate cum Sub-Collector,
Tindivanam.

2.The Superintendent,
Central Prison,
Cuddalore.

3.The Inspector of Police,
Rosanai Police Station,
Tindivanam Taluk

4.The Public Prosecutor,
Madras High Court.

Note: Issue today.



WEB COPY



Crl.M.P.No.18943 of 2022
in
Crl.R.C.No.1569 of 2022

V.SIVAGNANAM, J.

mstr

Crl.M.P.No.18943 of 2022
in
Crl.R.C.No.1569 of 2022

15.12.2022