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Crl.M.P.No.19275 of 2022
in
Crl.R.C.No.1607 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2022

CORAM :

THE HON'BLE MR.JUSTICE V. SIVAGNANAM

Crl.M.P.No.19275 of 2022
in
Crl.R.C.No.1607 of 2022

Ravi

... Petitioner

Versus

- 1.The Executive Magistrate cum
Deputy Commissioner of Police,
Kolathur District, Chennai.
2. Inspector of Police (L&O),
M-1, Madhavaram Police Station,
Chennai-110.

... Respondents

Prayer: Criminal Miscellaneous Petition filed under Sections 397 and 401 of the Code of Criminal Procedure to suspend the sentence to be imposed by the Executive Magistrate cum Deputy Commissioner of Police, Kolathur in M.P.No.16 of 2022 in LIR.No.114/Sec.Pro/DCKLR/2022 in M-1, Madhavaram. Sl.No.60/Inspr.M1.P.S/Sec.Pro/2022 under section 110 Cr.P.C., dated 08.12.2022 and enlarge him on bail and pending disposal of Criminal Revision Petition.

For Petitioner : Mr.R.Giridharan

For Respondents : Mr.V. Meganathan
Govt. Advocate (crl.side)



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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking to suspend the sentence to be imposed by the Executive Magistrate cum Deputy Commissioner of Police, Kolathur in M.P.No.16 of 2022 in LIR.No.114/Sec.Pro/DCKLR/2022 in M-1, Madhavaram. Sl. No. 60/ Insp. M1.P.S/ Sec.Pro/2022 under section 110 Cr.P.C., dated 08.12.2022 and enlarge him on bail and pending disposal of Criminal Revision Petition.

2. The learned counsel for the petitioner submitted that the allegation stated in the impugned proceedings is untrue and the petitioner 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., Executive Magistrate cum Deputy Commissioner of Police, Kolathur District, Chennai.. Hence he seeks to enlarge him on bail till the disposal of this revision .



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

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

6.The Executive Magistrate cum Deputy Commissioner of Police, Kolathur District, Chennai, on the request of the respondent police, conducted enquiry and thereafter, directed the petitioner to execute a bond for keeping good behaviour on 22.08.2022 for a period of one year from that date. 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 by imposing 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, Puzhal-I, Chennai..



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

8. The Superintendent, Central Prison, Puzhal, Chennai 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.

20.12.2022

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

Note: Issue copy on 20.12.2022.



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To

1. The Executive Magistrate cum
Deputy Commissioner of Police,
Kolathur District, Chennai.
2. Inspector of Police (L&O),
M-1, Madhavaram Police Station,
Chennai-110.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.
4. The Judicial Magistrate, Madhavaram.
5. The Public Prosecutor,
Madras High Court.



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V.SIVAGNANAM, J.

msr

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