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Crl.O.P.No.8091 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.8091 of 2023

Vaithiyalingam

... Petitioner

Vs.

1.The State rep. by
The Inspector of Police,
C-1, Kaatur Station,
Coimbatore.

2.The Superintendent of Police,
Central Prison,
Coimbatore.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to direct the petitioner to undergo sentences in concurrent manner relating to the punishment imposed as against the petitioner made in C.C.No.272 of 2019 dated 20.08.2019 and C.C.No.292 of 2016 dated 29.08.2019 on the file of the learned Judicial Magistrate No.II, Coimbatore.

For Petitioner : Mr.R.Vivekananthan

For Respondents : Mr.S.Santhosh
Government Advocate (Crl.Side)



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ORDER

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The petitioner prays that the petitioner may undergo sentence imposed on him in C.C.No.272 of 2016 dated 20.08.2019 and C.C.No.292 of 2016 dated 29.08.2019 concurrently.

2. Admittedly, in the Judgment in C.C.No.292 of 2016, reference was made to the earlier conviction. The learned Magistrate had directed that the sentences imposed on the petitioner shall run concurrently. However, instead of mentioning C.C.No.272 of 2016 in which the petitioner was convicted, C.C.No.291 of 2016 had been mentioned erroneously. It is submitted that the petitioner has nothing to do with the said C.C.No.291 of 2016.

3. The learned Government Advocate (Crl.Side) confirms that the petitioner was convicted in C.C.No.272 of 2016 and not in C.C.No.291 of 2016.

4. In view of the same, the sentences imposed on the petitioner in C.C.No.272 of 2016 dated 20.08.2019 and C.C.No.292 of 2016 on the file



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of the learned Judicial Magistrate No.II, Coimbatore shall run concurrently.

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5. Accordingly, the Criminal Original Petition stands allowed.

12.04.2023

Index :Yes/No
Internet:Yes/No
Neutral Citation Case: Yes/No
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To

1.The State rep. by
The Inspector of Police,
C-1, Kaatur Station,
Coimbatore.

2.The Superintendent of Police,
Central Prison,
Coimbatore.

3. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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