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Crl.M.P.No.8353 of 2023 in Crl.R.C.No.436 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2023

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.M.P.No.8353 of 2023

in

Crl.R.C.No.436 of 2022

1. M/s.Kalasa Estate,
A Partnership Firm, Rep. by its Partners,
So.S.Sivasubramaniam,
No.28, Thirunagar Colony,
4th Main Road, Erode – 638 003.

2. So. Sivasubramaniam

3. So. S. Sockalingam

... Petitioners

Vs.

1. Bombay Burmah Trading Corporation Limited,
Mudis Valparai, Rep by its Manager (Legal & HR),
Ms.Menaka Chinnathambi.

2. State of Tamil Nadu, Rep by
Public Prosecutor, Coimbatore.

... Respondents

PRAYER: Criminal Miscellaneous Petitions filed under Sections 397(1) & 482 of Cr.P.C to suspend the sentence passed by the learned District Munsif cum Judicial Magistrate, Valparai in S.T.C.No.471 of 2015 dated 11.10.2019 as confirmed by the judgment of the learned V Additional District and Sessions Judge, Coimbatore in C.A.No.345 of 2019 dated 31.01.2022 pending disposal of Crl.R.C.No.436 of 2022.



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For Petitioners : Mr.S.Karthikeyan
for Mr.N.B.N.Swamy

For Respondent : Mr.S.Ashok Kumar, Senior Advocate
for Mr.P.Palaninathan – R1

Mr.R.Vinothraja
Government Advocate (Crl.Side) – R2

ORDER

This petition has been filed by the petitioners/accused, seeking to suspend the sentence passed by the learned District Munsif cum Judicial Magistrate, Valparai in S.T.C. No.471 of 2015 dated 11.10.2019 as confirmed by the judgment of the V Additional District and Sessions Judge, Coimbatore in C.A.No.345 of 2019 dated 31.01.2022, pending disposal of the above revision petition.

2. The petitioners have originally filed a petition in Crl.M.P.No.4526 of 2022 for suspension of sentence and the sentence imposed on the petitioners has already been suspended by this Court by an Order dated 08.04.2022. Subsequently, the trial Court has issued Non bailable warrant as against the petitioners on the ground that they have not complied the conditions imposed by this Court and the second and third petitioners have been arrested and remanded to judicial custody. Hence, the present petition has been filed.



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3. When the matter is taken up today, the learned counsel for the petitioners submitted that the petitioners are ready to comply the conditions imposed in the Order of this Court in CrlM.P.No.4529 of 2022 in Crl.R.C.No.436 of 2022 dated 08.04.2022. The learned Senior Counsel for the first respondent submitted that the petitioners have to comply the direction of this Court in the Order dated 08.04.2022, which is extended in Crl.M.P.No.9822 of 2022 dated 18.07.2022.

4. Recording the submissions of the learned counsel for the petitioners, the petitioners are directed to comply the conditions imposed by this Court in Crl.M.P.No.4529 of 2022, dated 08.04.2022, which has been extended in Crl.M.P.No.9882 of 2022 dated 18.07.2022 and the learned Magistrate shall consider the same pass appropriate Orders on the same day itself.

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

19.06.2023

vrc

Note : Issue Order Copy on 19.06.2023



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To

1. The V Additional District and Sessions Judge, Coimbatore
2. The District Munsif cum Judicial Magistrate, Valparai
3. The Public Prosecutor, High Court of Madras, Chennai.



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V.SIVAGNANAM, J.

VTC

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