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Crl.O.P.No.25337 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25337 of 2023

M.Muthuraja

... Petitioner

Vs.

The State Rep.by
The Inspector of Police,
Pallikonda Police Station
(Crime No.121 of 2023)

... Respondent

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to extend the time in Crl.M.P.No.3507 of 2023 in C.A.No.123 of 2023 on the file of the Principal District and Sessions Judge at Vellore, Vellore District vide order dated 29.08.2023 to execute the sureties.

For Petitioner : Mr.M.Sathish Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

The learned counsel for the petitioner states that the petitioner who was convicted in C.C.No.176 of 2023 by the Judicial Magistrate-V, Vellore



to undergo two years R.I and fine of Rs.1,000/- for offence under Sections 454 & 511 IPC.

2. Initially the petitioner got suspension of sentence from the trial Court and preferred appeal before the District and Sessions Court, Vellore in C.A.No.123 of 2023. Along with his appeal, he sought for suspension of sentence and the same was granted. However, due to difficulty in furnishing the sureties, he could not execute the bond and therefore, he was secured and committed to prison. When he sought for extension of time, his petition was returned with docket endorsement that the petition is not maintainable. Hence he is before this Court.

3. According to the learned counsel for the petitioner, the petitioner been secured and committed to prison and he may be granted bail on any terms and sentence imposed may be suspended till the disposal of Criminal Appeal.

4. Considering the fact narrated as above, this Criminal Original Petition is allowed on the following conditions:-



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The petitioner shall execute a bond for a sum of Rs.25,000/- with two sureties each for like sum to the satisfaction of the learned Judicial Magistrate-V, Vellore. On such execution of bond, the petitioner shall be released from prison on condition he shall report before the appellate Court on all hearing dates.

30.11.2023

Note: Issue Today

Index : Yes/No

Neutral Citation : Yes/No

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To

1.The Principal District and Sessions Judge, Vellore, Vellore District.

2. The Inspector of Police,
Pallikonda Police Station.

3.The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

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