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Crl.M.P.No.7565 and 7566 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2024

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

Crl.M.P.No.7565 and 7566 of 2024
in Crl.RC.No.858 of 2024

Naazar

...Petitioner

Vs.

The State represented by
The Inspector of Police,
B.1 Siva Kanchi Police Station,
Kancheepuram District.
(Crime No.994/2013)

...Respondent

Prayer in Crl.M.P.No.7565 of 2024 : Miscellaneous Petition has been filed under Sections 397 and 482 of Cr.P.C., to suspend the sentence imposed in C.C.No.516/2013, dated 05.10.2020, by the learned Judicial Magistrate No.I, Kancheepuram which was confirmed by the Hon'ble District Sessions Court No.II, Kanchipuram in Crl.A.No.15 of 2020 dated 20.02.2024 and enlarge the petitioner on bail.

Prayer in Crl.M.P.No.7566 of 2024: Criminal Miscellaneous Petition filed under Section 482 of Criminal Procedure Code praying to exempt the petitioner from surrendering in connection with his conviction passed in the Judgment and sentence imposed in C.C.No.516 of 20213, dated 05.10.2010 by the learned Judicial Magistrate No.I, Kancheepuram



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which was confirmed by the Hon'ble District Sessions Court No.II, Kanchipuram in Crl.A.No.15 of 2020 dated 20.02.2024 and enlarge the petitioner on bail.

For Petitioner : Mr.S.Vinod
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

COMMON ORDER

Crl.M.P.No. 7565 of 2024 has been filed to suspend the sentence of imprisonment imposed on the petitioner herein in C.C.No.516 of 2013 dated 05.10.2020, on the file of the learned Judicial Magistrate No.I, Kancheepuram which was confirmed by the Hon'ble District Sessions Court No.II, Kanchipuram in Crl.A.No.15 of 2020 dated 20.02.2024 and enlarge the petitioner on bail.

Crl.M.P.No.7566 of 2024 has been filed to exempt the petitioner from surrendering in connection with his conviction passed in the Judgment and sentence imposed in C.C.No.516 of 20213, dated 05.10.2010 by the learned Judicial Magistrate No.I, Kancheepuram which was confirmed by the Hon'ble District Sessions Court No.II, Kanchipuram in Crl.A.No.15 of 2020 dated 20.02.2024 and enlarge the petitioner on bail.



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2. The case was registered against the revision petitioner for the offence punishable under Sections 279 and 337 of IPC and the Trial Court convicted the petitioner for the offence punishable under Sections 279 and 304(A) of IPC and sentenced to undergo simple imprisonment of 3 months with a fine of Rs.10,000/- in default, further simple imprisonment for one month u/s 304(A) and to undergo simple imprisonment for one month and a fine of Rs.500/- and in default further simple imprisonment for one week u/s 279 IPC.

3. The case of the prosecution is that when the defacto complainant and others got down from the bus and were proceeding to cross the road near Tiruneelagandar Chathiram, the petitioner came in a Pulsar motor cycle bearing registration No.TN-21-AD-8822 in a rash and negligent manner and hit on the sister of the defacto complainant. Due to which, she fell down and sustained injuries on her head and right hand. Immediately, the defacto complainant took her to Government Hospital for treatment. However, she was referred to Government Hospital, Chennai for further treatment. But she succumbed to her injuries even after getting treatment as inpatient for 5 days. Hence, the defacto



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complainant lodged a complaint against the petitioner, the respondent police had registered a case.

4. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

6. Considering the overall facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. Accordingly, petitioner ***is ordered to be released on bail*** subject to the following conditions:

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kancheepuram

(ii) the petitioner shall appear before the respondent police weekly once i.e. First working day of every week at 10.30 a.m. until further orders;



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7. Criminal M.P.No.7565 of 2024 is ordered accordingly.

However, this Court is not inclined to exempt the petitioner from surrendering before the Court below. Hence, Crl.MP.No.7566 of 2024 is dismissed.

06.06.2024
(2/2)

msv

Note to office: Issue order copy on 07.06.2024

Index : Yes/No

Speaking Order : Yes/No

NCC : Yes/No

To

1. The Judicial Magistrate No.I, Kancheepuram

2. The Inspector of Police,
B.1 Siva Kanchi Police Station,
Kancheepuram District.

3. The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.

M.DHANDAPANI, J.

msv



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