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Crl.O.P.No.14112 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.14112 of 2024

Narendran @ Nandu

... Petitioner

Vs.

The State by
The Inspector of Police,
G3 Kilpauk Police Station,
Chennai-600 010.
Crime No.418 of 2018

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to issue direction to the learned VII Additional Sessions Judge, City Civil Court, Chennai to dispose of the Crl.M.P.No.5780/2024 in Crl.A.No.116/2024 within time frame.

For Petitioner : Mr.G.Mageshkumar

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to direct the VII Additional Sessions Judge, Chennai to dispose of Crl.M.P.No.5780 of 2024 in Crl.A.No.116/2024 filed for suspension of sentence pending appeal.



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The learned counsel appearing for the petitioner submitted that against the conviction in C.C.No.9065 of 2018 dated 31.10.2023 (on the file of the II Metropolitan Magistrate, Egmore, Chennai) the petitioner has preferred an appeal. Along with the appeal, he has filed application for suspension of sentence. The said application is pending since 22.02.2024. In spite of more than ten adjournments, no order has been passed.

3. The status report of the case annexed along with the typed set of papers indicates that the application has been pending for completion of service and thereafter, for perusal of records. The suspension of sentence application involves personal liberty of a convict. Therefore, the Court is expected to decide the petition at the earliest. However, in the case in hand, this Court finds that for more than 5 months application been pending. Irony is that the conviction itself is only two years which is under challenge in the appeal. The petitioner is in prison for more than 4 months after the date of conviction. The lower appellate Court is therefore, directed to dispose of the application filed for suspension of sentence within 30 days from the date of receipt of a copy



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of this order.

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Index : Yes/No

Neutral Citation : Yes/No

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To

1.The VII Additional Sessions Judge, City Civil Court, Chennai.

2.The Inspector of Police,
G3 Kilpauk Police Station,
Chennai-600 010.

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

Dr.G.JAYACHANDRAN,J.

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