



Crl.M.P.Nos.19739 and 19740 of 2023
in Crl.R.C.No.2189 of 2023

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M. NIRMAL KUMAR, J.

The petitioner/A2 in C.C.No.107 of 2018 was convicted by the trial Court by judgment dated 07.03.2020 along with another accused and sentenced to undergo three years rigorous imprisonment for offence under Section 392 of I.P.C. Aggrieved against the conviction, the petitioner/A2 had preferred an appeal before the learned I Additional District and Sessions Judge, Salem in C.A.No.07 of 2021. The learned Sessions Judge by judgment dated 21.06.2023, dismissed the appeal confirming the judgment of the Trial Court, against which, the present revision petition has been filed along with the petitions seeking suspension of sentence and exemption from surrendering, since the petitioner is not having good health.

2.Today, the learned counsel for the petitioner seeks permission of this Court to withdraw the petition for exemption from surrendering. He has also made an endorsement in the petition to that effect. In view of the submission and endorsement made by the learned counsel for petitioner,



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Crl.M.P.No.19740 of 2023 filed for exemption from surrendering is dismissed as withdrawn.

3.The petitioner had suffered two concurrent findings against him and also he has not surrendered to the judicial custody as directed by the Lower Appellate Court in C.A.No.07 of 2021. The respondent police has been directed by the Lower Appellate Court to secure the accused to undergo the remaining period of his sentence. In view of the same, this Court is not inclined to entertain the petition for suspension of sentence. Accordingly *Crl.M.P.No.19739 of 2023 filed for suspension of sentence is dismissed.*

4.The learned Government Advocate (Crl. Side) submits that a special team has been formed and all steps have been taken to secure the petitioner as per the directions issued in C.A.No.07 of 2021.

5.Post the main Criminal Revision Case on 20.02.2024.

22.01.2024

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