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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.28442 & 28444 of 2023

Shanmugam

... Petitioner in
Crl.OP.No.28442 of 2023

Pugazhendhi

... Petitioner in
Crl.OP.No.28444 of 2023

Vs.

The Station House Officer
Kedar Police Station
Villupuram District
Crime No.97 of 2002

...Respondent in
both the cases

PRAYER in Crl.OP.No.28442 of 2023 : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 06.12.2023 made in CMP.No.10561 of 2023 in CA.No.105 of 2023 on the file of the Principal Sessions Judge, Villupuram and consequently, suspend the sentence imposed on the Petitioner in C.C.No.63 of 2003 on the file of the Judicial Magistrate No.II, Villupuram dated 04.09.2023.



PRAYER in Crl.OP.No.28444 of 2023 : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 06.12.2023 made in CMP.No.10560 of 2023 in CA.No.105 of 2023 on the file of the Principal Sessions Judge, Villupuram and consequently, suspend the sentence imposed on the Petitioner in C.C.No.63 of 2003 on the file of the Judicial Magistrate No.II, Villupuram dated 04.09.2023.

In both Crl.O.Ps

For Petitioners	: Mr.C.Munusamy
For Respondent	: Mr.A.Damodaran Additional Public Prosecutor

COMMON ORDER

These petitions have been filed by A1 and A2 challenging the order passed by the Court below in CMP Nos.10560 and 10561 of 2023 dated 06.12.2023, dismissing the applications filed for suspension of sentence.

2.Heard Mr.C.Munusamy, learned counsel appearing on behalf of the petitioners and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of the respondent.



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3. Considering the facts and circumstances of the case and considering the reasons that have been assigned by the learned Principal Sessions Judge, Villupuram while dismissing the applications, this Court was not inclined to interfere with the order passed by the Court below. When this Court expressed its mind, the learned counsel for the petitioners sought for the permission of this Court to withdraw these petitions and to enable the petitioners to surrender before the Trial Court and to workout their remedy.

4. In the light of the above submission, these petitions are dismissed as withdrawn and the petitioners are directed to go and surrender before the Trial Court and workout their remedy.

02.01.2024

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr

To

1. The Principal Sessions Judge,



Villupuram.

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N.ANAND VENKATESH, J

SSR

2.The Judicial Magistrate No.II,
Villupuram

3.The Station House Officer
Kedar Police Station
Villupuram District
Crime No.97 of 2002

4.The Public Prosecutor,
High Court, Madras.

Crl.O.P.Nos.28442 & 28444 of 2023

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