



CRL MP(MD) No.3327 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Eighteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice VIVEK KUMAR SINGH

CRL MP(MD) No.3327 of 2024

in

CRL RC(MD)No.290 of 2024

MOHAMED ISMAIL

... PETITIONER/PETITIONER/
APPELLANT/ACCUSED(SINGLE)

Vs

THE INSPECTOR OF POLICE
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO. 34/2013

... RESPONDENT/RESPONDENT/
RESPONDENT/COMPLAINANT

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to exempt the petitioner from surrendering pursuant to the sentence imposed by the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District in C.C No. 30 of 2014 vide his judgment dated 09.02.2023 which has been subsequently confirmed by the III Additional District & Sessions Court, Thanjavur @ Pattukottai in C.A.No.78 of 2023 vide his judgment dated 31.10.2023 pending disposal of the main criminal revision.

Prayer in CRL RC(MD). 290/ 2024 :

To call for the entire records pertaining to the judgment delivered by the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District in C.C No. 30 of 2014 vide his judgment dt. 09.02.2023 by convicting the petitioner



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under Section 279 of I.P.C. and sentenced him to undergo 3 months S.I. with a fine of Rs.1,000/- in default to undergo 1 week S.I and convicting him under Section 304(A) of I.P.C. and sentenced to pay a fine of Rs.10,000/- in default to undergo one month S.I. which has been subsequently confirmed by the III Additional District and Sessions Court, Thanjavur @ Pattukkottai in C.A.No.78 of 2023 vide his judgment dated 31.10.2023 and set aside the same and consequently acquit the petitioner honorably.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.M.PITCHAI MUTHU, Advocate for the petitioner and of Mr.R.SIVAKUMAR, Government Advocate(Crl.side) on behalf of the Respondent while admitting the Criminal Revision Petition., the Court made the following order:-

The Revision Petitioner seeks exemption from surrender.

2.Considering the nature of the case and the concurrent findings of the Courts below, this Court is of the opinion that in order to afford an opportunity for the revision petitioner, the petitioner is exempted from surrender.

sd/-
18/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RM



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TO
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- 1 THE III ADDITIONAL DISTRICT
AND SESSIONS JUDGE, THANJAVUR @ PATTUKKOTTAI.
- 2 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 4 THE INSPECTOR OF POLICE
ORATHANADU POLICE STATION, THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:
THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.3327 of 2024
in
CRL RC(MD)No.290 of 2024
Date :18/03/2024
(2/2)

SS/JGB/SAR- /22/03/2024/3P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023