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CrI.O.P.No.27045 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G. JAYACHANDRAN

CrI.O.P.No.27045 of 2023

Sasikala

... Petitioner

Vs.

The State rep by the Inspector of Police,
Udumalaipettai Police Station,
Tiruppur District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, directing the learned Judicial Magistrate No.1, Udumalaipettai, Tiruppur District to run the sentences passed in C.C.No.326 of 2011, dated 11.09.2023 concurrently along with the sentence passed in C.C.No.327 of 2011, dated 11.09.2023.

For Petitioner : Mr.C.C.Chellappan

For Respondent : Mr.Leonard Arul Joseph Selvam,
Government Advocate (CrI.Side)

ORDER

The Criminal Original Petition has been filed for directing the learned Judicial Magistrate No.1, Udumalaipettai, Tiruppur District to run the sentences passed in C.C.No.326 of 2011 dated 11.09.2023 concurrently along with the sentence passed in C.C.No.327 of 2011 dated 11.09.2023.



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2. The petitioner herein is the wife of the convict Mariappan, who was found guilty in C.C.No.326 of 2011 for offences punishable under Section 379 of IPC by the Judicial Magistrate, Udumalaipet and sentenced to undergo six months of simple imprisonment. On the same day, he was also found guilty in yet another case in C.C.No.327 of 2011 for offences punishable under Section 457 read with 511 of IPC, 380 read with 511 by the same Court and sentenced to undergo six months of simple imprisonment along with the fine of Rs.500/-, in default, to undergo one month of simple imprisonment for each of the offences. The period of sentence that had already undergone was set off in both the cases. The punishment imposed in C.C.No.326 of 2011 and C.C.No.327 of 2011 supposed to run consequetively.

3. The learned counsel appearing for the petitioner herein seeks direction of this Court for an order to run the period of sentence cases in both the cases to concurrently.

4. Taking note of the fact that the case was registered in the year 2011 and the trial has completed after 12 years and the petitioner being in



prison after judgment of conviction, the sentence imposed in C.C.No.326 of 2011 and C.C.No.327 of 2011 is ordered to run concurrently.

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5. Accordingly, this Criminal Original Petition stands allowed.

30.11.2023

Index : Yes / No
Neutral Citation : Yes / No
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To

- 1.The Inspector of Police,
Udumalaipettai Police Station,
Tiruppur District.
- 2.The Public Prosecutor,
Madras High Court,
Chennai.



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Dr.G. JAYACHANDRAN, J.

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