

**Crl.M.P.No.10918 of 2016**

**in**

**Crl.R.C.No.1220 of 2016**

**C.T.SELVAM, J**

Petitioner was convicted for offence under Section 379 IPC and sentenced to undergo 2 years R.I. and to pay a fine of Rs.1,000/- i/d. 30 days S.I. and for offence under Section 356 IPC sentenced to undergo 1 year R.I. and to pay a fine of Rs.1,000/- i/d. 30 day S.I. by learned Judicial Magistrate No.I, Gobichettipalayam, under judgment dated 24.02.2016 in C.C.No.160 of 2013. The conviction and sentence imposed by the trial Court was confirmed by the learned III Additional District cum Sessions Judge, Gobichettipalayam, in C.A.No.45 of 2016 dated 12.09.2016. Against the same, the petitioner seeks suspension of sentence.

2. M.P.No.10919 of 2016 has been filed seeking suspension of sentence imposed on the petitioner.

3. Learned counsel for petitioner would submit that the petitioner is in custody and he is presently confined at Central Prison, Coimbatore.

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4. Considering the facts and circumstances of the case and in view of the fact that the petitioner is in custody, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

5. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail on condition that the petitioner shall execute a bond in a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of learned Judicial Magistrate No.I, Avanashi and on further condition that the petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m. pending revision.

20.10.2016

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