

Crl.M.P.No.12035 of 2016

in

Crl.R.C.No.1358 of 2016

C.T.SELVAM, J

Petitioner faced trial in C.C.No.552 of 2014 on the file of learned Judicial Magistrate II, Thiruvallur. Trial Court, under judgment dated 22.09.2015, convicted the petitioner for offences u/s. 279, 338 and 304-A IPC and sentenced him to 6 months S.I. for each of the offences. There against, petitioner preferred an appeal in C.A.No.74 of 2015 on the file of learned Principal District and Sessions Judge, Thiruvallur. Appellate Court, under judgment dated 15.06.2016, while acquitting the petitioner of offence u/s.279 IPC, confirmed the conviction u/s.338 and 304-A IPC and modified the sentence of 6 months S.I. to one of 3 months S.I. This miscellaneous petition has been filed seeking suspension of sentence.

2. Learned counsel for petitioner would submit that there are several infirmities and inconsistencies in the prosecution case. Learned counsel further informs that petitioner is now confined at Sub-jail, Tiruvallur.

3. Heard learned Government Advocate [Crl.side] on the submissions made by learned counsel for petitioner.

C.T.SELVAM, J

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4. Taking into consideration the submissions of learned counsel for petitioner and that the revision is not likely to be taken up for final hearing in the near future, this Court is of the view that the petitioner herein may be granted the relief of suspension of sentence.

Accordingly, the substantive sentence of imprisonment alone is suspended and 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 II, Thiruvallur and on further condition that petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m. pending revision.

17.11.2016

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Note to office: Issue today

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