

Crl.M.P.No.12579 of 2016
in
Crl.R.C.No.1385 of 2016

C.T.SELVAM, J.

Petitioners faced trial in S.C.No.97 of 2012 on the file of learned I Assistant Sessions Judge, Tiruppur. The trial Court, under judgment dated 17.12.2007, convicted the petitioners along with fifth accused for offence under Section 294(b) IPC imposed fine Rs.500/- i/d one week S.I. and also convicted the petitioners along with fifth accused for offence under section 323 IPC and sentenced to undergo three months imprisonment. The appeal preferred by petitioners in C.A.No.44 of 2015 on the file of learned I Additional Sessions Judge, Tiruppur, came to be dismissed as against the petitioners under judgment dated 07.10.2016. Hence, petitioner seeks suspension of sentence.

2. Learned counsel for petitioners would submit that there are several infirmities and inconsistencies in the prosecution case. Learned counsel further informs that petitioners are now confined at Prison from 22.11.2016.

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

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4. Considering the facts and circumstances and that the petitioners are custody from 22.11.2016, this Court is of the view that the petitioners herein may be granted the relief of suspension of sentence.

5. Accordingly, substantive sentence of imprisonment alone is suspended and petitioners are directed to be enlarged on bail on condition that each of the petitioners 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 Judicial Magistrate No.I, Thiruppur and on further condition that petitioners shall appear before the respondent once in a week i.e, on every Friday at 10.30 a.m. pending revision.

25.11.2016

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Note : Issue Order Copy on 28.11.2016

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