

Crl.M.P.No.12817 of 2016

in

Crl.R.C.No.1154 of 2016

C.T.SELVAM, J

Petitioner/A2 and another faced trial in C.C.No.64 of 2009 on the file of learned Judicial Magistrate II, Vellore. Trial Court, under judgment dated 24.11.2010, convicted the petitioner for offences u/s.408 and 477-A IPC and sentenced him to 2 years R.I. and fine of Rs.1,000/- i/d 1 month S.I. for each of the offences. There against, petitioner preferred an appeal in C.A.No.290 of 2010 on the file of learned I Additional District Judge, Vellore, Vellore District, which came to be dismissed under judgment dated 10.06.2016. 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 Central Prison, Vellore.

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

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

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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, Vellore 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.

01.12.2016

Note to office: Issue today

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