

**M.P.No.1650 of 2016
in Crl.R.C. No.243 of 2016**

DR.P.DEVADASS, J.

The petitioner, who is the appellant in C.A.No.31 of 2005 on the file of the Principal Sessions Judge, Kancheepuram at Chengalpattu which has been preferred as against the judgment in C.C.No.1003 of 2004 on the file of the learned Judicial Magistrate, Alandur seeks suspension of his sentence of imprisonment.

2. The trial Court has convicted and sentenced him as under :

Sl. No.	Conviction	Sentence
1.	Under section 498(A) IPC	1 year R.I

3. The said conviction and sentence have been confirmed by the Appellate Court.

4. The learned counsel for the petitioner contended that both the courts have fell into error and there is legal perversity.

5. Heard Mr.B.Rajkumar Ashok Singh, counsel for the intervenor.

6. The learned Government Advocate (Crl.side) submitted that the findings have been rendered based on the legal evidence adduced, no ground to interfere in the concurrent findings recorded by the Courts below.

7. The accused is in U.S.A. His counsel is looking after his interest in this case. Now the bail bond has to be executed by the accused. But at the same time, he is in U.S.A. He must execute a bail bond, otherwise, there is no use in passing a bail order.

8. In these circumstances, the learned counsel for the revision petitioner submitted that he may be given sufficient time to enable him to execute the bail bond.

9. I have anxiously considered the rival submissions and perused the judgments of the Court below and the materials on record. I find prima facie case.

The revision petitioner was on bail throughout the Trial Court and in the Appellate

Dr.P.DEVADASS, J.

vrc

Court. Further, it will take some time for the disposal of this criminal revision. In the circumstances, I am inclined to suspend his sentence of imprisonment.

10. Ordered as under :

(i) Bail granted.

(ii) His sentence of imprisonment alone is suspended.

(iii) There shall be two sureties, who shall be related by blood to the revision petitioner, they and the petitioner shall execute a bond for Rs.15,000/- (Rupees fifteen thousand only) to the satisfaction of the learned Judicial Magistrate, Alandur.

(iv) The accused shall execute the bail bond within three months from the date of receipt of a copy of this Order.

(v) He shall appear before the Court as and when so ordered.

10.03.2016

vrc

To

1. Principal Sessions Judge,
Kancheepuram at Chengalpattu.
2. The Judicial Magistrate,
Alandur
3. The Additional Public Prosecutor,
High Court, Madras.
4. Inspector of Police,
All Women Police Station,
Tambaram.

**Crl.M.P.No.1650 of 2016
in Crl.R.C.No.243 of 2016**

Crl.M.P.No.2754 of 2016 in

Crl.R.C.No.243 of 2016

DR. P.DEVADASS, J.

In view of the order passed in
Crl.M.P.No.1650 of 2016 in Crl.R.C.No.243 of
2016 granting suspension of sentence, this
petition seeking exemption from surrender, is
closed.

10.03.2016

vrc

Crl.R.C.No.243 of 2016

DR. P.DEVADASS, J.

Heard the learned counsel for the
Revision Petitioner.

Admit this revision.

Learned Additional Public
Prosecutor takes notice for the
respondent and seeks time to file
counter.

Post after two weeks.

10.03.2016

vrc