

Crl.M.P.No. 2558 of 2016
in
Crl.R.C.No.385 of 2016

T.MATHIVANAN, J

Heard Mr.S.N.Arun Kumar, learned counsel appearing for the petitioner and Mr.V.Arul, learned Government Advocate (Crl.Side) appearing for the respondent.

2. The petitioner is the first appellant in Criminal Appeal No.91 of 2011 on the file of the learned Additional District and Sessions Judge, Chengalpattu. It is revealed from the records that the petitioner was tried along with the other accused before the learned Judicial Magistrate No.I, Chengalpattu, for the alleged offences under section 408 r/w 109 of IPC. On appreciation of the evidence, the learned trial Judge had found each of them guilty under section 408 r/w 109 of IPC and sentenced each of them to undergo rigorous imprisonment for one year and imposed a fine of Rs.300/- each, and in default, to suffer two weeks of simple imprisonment, vide Judgment dated 28.11.2011. It is brought to the notice of this Court that the fine amount was paid on receipt. Challenging the order of conviction and sentence, the first accused/first appellant had preferred an appeal before the learned Additional District Sessions Judge, Chengalpattu. On hearing both sides, the learned Additional District Sessions Judge,

on 30.11.2015, had confirmed the conviction and sentence imposed by the learned Judicial Magistrate No.I, Chengalpattu.

3. Challenging the correctness of the Judgment made in the Appeal, the first accused/first appellant stands before this Court seeking the relief of suspension of sentence.

4. The learned Government Advocate (Crl.Side) appearing for the State has no serious objection to suspend the sentence of one year of Rigorous Imprisonment.

5. This Court has perused the Judgment of the Court below and having been satisfied with the submissions made and on considering the facts of the case, this Court is inclined to grant an order of suspension of Sentence. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.I, Chengalpattu and on further condition that the petitioner shall appear before the said Court on the first working day of every month at 10.00 a.m., until further orders.

04.03.2016

asvm

T.MATHIVANAN, J

(asvm)

Note to Office:
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