

**Crl.M.P.No.2867 of 2016
in Crl.R.C. No.435 of 2016**

DR.P.DEVADASS, J.

The petitioner, who is the appellant in C.A.No.1 of 2015 on the file of the II Additional Sessions Judge, Puducherry which has been preferred as against the judgment in C.C.No.277 of 2011 on the file of the learned Chief Judicial Magistrate, Puducherry, 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 325 IPC	6 months S.I and fine Rs.10,000/- i/d 1 month S.I.

Fine amount has been paid.

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. 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.

6. 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 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.

Dr.P.DEVADASS, J.

vrc

7. Ordered as under :

(i) Bail granted.

(ii) Sentence of imprisonment alone is suspended.

(iii) There shall be two sureties, they and the petitioner shall execute a bond for Rs.10,000/- (Rupees ten thousand only) to the satisfaction of the learned Chief Judicial Magistrate, Puducherry.

(iv) Petitioner shall appear before the said Chief Judicial Magistrate on the first working day of every month at 10.30 a.m. until further orders.

14.03.2016

vrc

To

1. The II Additional Sessions Judge,
Puducherry.
2. The Chief Judicial Magistrate,
Puducherry.
3. The Additional Public Prosecutor,
High Court, Madras.
4. Inspector of Police,
Grand Bazaar Police Station,
Puducherry.

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Crl.M.P.No.2868 of 2016 in

Crl.R.C.No.435 of 2016

DR. P.DEVADASS, J.

In view of the order passed in
Crl.M.P.No.2867 of 2016 in Crl.R.C.No.435 of
2016 granting suspension of sentence, this
petition seeking exemption from surrender, is
closed.

14.03.2016

vrc

Crl.R.C.No.435 of 2016

DR. P.DEVADASS, J.

Heard the learned counsel for the
Revision Petitioner.

Admit this revision.

Learned Government Advocate,
Puducherry takes notice for the
respondent and seeks time to file
counter.

Post after two weeks.

14.03.2016

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