

**Crl.M.P.No.3475 of 2016
in Crl.R.C.No.508 of 2015**

DR.P.DEVADASS, J.

The petitioner, who is the appellant in C.A.No.15 of 2014 on the file of the Principal Sessions Judge, Thiruvarur, which has been preferred as against the judgment in C.C.No.193 of 2011 on the file of the learned District Munsif cum Judicial Magistrate, Nannilam seeks suspension of his sentence of imprisonment.

2. Appreciating the evidence, oral and documentary, the learned District Munsif cum Judicial Magistrate, Nannilam convicted and sentenced him as under:

Sl. No.	Conviction	Sentence
1.	Under section 304(A) IPC	under section 304(A) IPC 6 months S.I and fine Rs.2,000/- i/d 1 month S.I.

He has paid the fine amount.

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

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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.

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.15,000/- (Rupees fifteen thousand only) to the satisfaction of the learned District Munsif cum Judicial Magistrate, Nannilam.

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

21.03.2016

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To

1. The Principal Sessions Judge,
Thiruvavur.
2. The District Munsif cum Judicial Magistrate,
Nannilam.
3. The Additional Public Prosecutor,
High Court, Chennai.
4. The Sub Inspector of Police,
Peralam Police Station,
Thiruvavur District.

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Crl.M.P.No.3476 of 2016 in

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Dispense with production of the original judgment in C.C.No.193 of 2011 dated 15.10.2014 of the learned District Munsif cum Judicial Magistrate, Nannilam is permitted.

24.03.2016

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DR. P.DEVADASS, J.

Heard the learned counsel for the
Revision Petitioner.

Admit this revision.

Learned Government Advocate
(Criminal Side) takes notice and seeks
time to file counter.

Post after two weeks.

24.03.2016

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