

Crl.M.P.No.416 of 2016 in Crl.A.No.32 of 2016

A. SELVAM,J.

This petition has been filed praying to suspend the substantive sentences imposed against the petitioner in Calendar Case No.5 of 2009 by the II Addl. District Judge (CBI Cases), Coimbatore.

2. It is stated in the petition that the petitioner has been arrayed as first accused in Calendar Case No.5 of 2009 wherein he has been found guilty under Section 120-B, IPC and sentenced him to undergo three years' R.I., with a fine of Rs.1000/-(Rupees One thousand only). The petitioner/first accused has also been found guilty under Section 468, IPC(13 counts) and sentenced to undergo three years' R.I., and also a fine of Rs.1000/-(Rupees One thousand only) upon each count. He has been found guilty under Section 471, IPC (3 counts) and sentenced to undergo three years' Rigorous Imprisonment and also imposed a fine of Rs.1000/-(Rupees One thousand only) with usual default clause. The petitioner has also been found guilty under Section 420,IPC and sentenced to undergo three years' R.I., and also imposed a fine of Rs.1000/-(Rupees One thousand only) with usual default clause.

3. Against the convictions and sentences passed by the Trial Court, Criminal Appeal No.32 of 2016 has been filed on the file of this Court. Further, it is averred in the petition that the petitioner/first accused has remitted the entire fine amounts. Further, the Trial Court has suspended the substantive circumstances imposed against the petitioner/first accused. Under the said circumstances, the present petition has been filed for the relief sought therein.

4. Considering the above said factual circumstances, this petition can be allowed.

A. SELVAM,J.

glp

In fine, this petition is allowed. The substantive sentences imposed against the petitioner in Calendar Case No.5 of 2009 are alone suspended till the disposal of Crl.A.No.32 of 2016.

19-01-2016

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