

**Crl.M.P.No.4711 of 2016
in Crl.R.C.No.666 of 2015**

DR.P.DEVADASS, J.

The petitioners, who are the appellants in C.A.No.177 of 2010 on the file of the VII Additional Sessions Judge, Chennai, which has been preferred as against the judgment in C.C.No.7892 of 2003 on the file of the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai, seek suspension of sentence of imprisonment.

2. Appreciating the evidence, oral and documentary, the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai convicted and sentenced her as under:

Sl. No.	Conviction	Sentence
1.	Under section 20 r/w.4 of Indian Telegraph Act	6 months S.I and fine Rs.1,000/- i/d 2 weeks S.I.

Fine amounts were paid.

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

4. The learned senior counsel for the petitioner pointed out that A1 is a company. It is an inanimate body. It has no mind. It will not have malice. It has no soul. It cannot be bundled in a bag. It cannot be arrested and remanded and put behind the bars. In the circumstances, fiscal punishment can be given and physical punishment cannot be give.

5. Further, the learned counsel for the petitioner added that there are many eminently arguable points that would shake the concurrent findings recorded by the Courts below.

6. The learned Special Public Prosecutor while disagreeing with him with regard to the imposition of physical punishment to companies would repel the arguments of the learned counsel for the petitioner.

Dr.P.DEVADASS, J.

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.

7. Ordered as under :

(i) Bail granted.

(ii) Sentence of imprisonment alone is suspended.

(iii) There shall be two sureties, they and the petitioners shall execute a bond for Rs.15,000/- (Rupees fifteen thousand only) each to the satisfaction of the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai.

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

21.04.2016

vrc

To

1. Additional Chief Metropolitan Magistrate,
Egmore, Chennai.
2. VII Additional Sessions Judge,
City Civil Court, Chennai.
3. The Additional Public Prosecutor,
High Court, Chennai.
4. The Inspector of Police,
SPE/CBI/ACB, Chennai.

**Crl.M.P.No.4711 of 2016
in Crl.R.C.No.666 of 2016**

Crl.M.P.No.4712 of 2016 in

Crl.R.C.No.666 of 2016

DR. P.DEVADASS, J.

Dispense with production of the original judgment in C.C.No.7892 of 2003 dated 22.09.2010 of the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai is permitted.

21.04.2016

vrc

Crl.M.P.No.4713 of 2016 in

Crl.R.C.No.666 of 2016

DR. P.DEVADASS, J.

In view of the order passed in
Crl.M.P.No.4711 of 2016 in Crl.R.C.No.666 of
2016 granting suspension of sentence, this
petition seeking exemption from surrender, is
closed.

21.04.2016

vrc

Crl.R.C.No.666 of 2016

DR. P.DEVADASS, J.

Heard the learned counsel for the
Revision Petitioners.

Admit this revision.

Learned Special Public Prosecutor
(CBI Cases) takes notice and seeks time
to file counter.

Post after two weeks.

21.04.2016

vrc