

Crl.M.P.No.9434 of 2016

in

Crl.A.No.674 of 2016

R.SUBBIAH, J

The present petition has been filed by the petitioner / A.3 to suspend the sentence imposed on him by the learned Principal Special Judge / VIII Additional City Civil Court, Chennai, in C.C.No.12 of 2006 dated 18.8.2016 and to enlarge him on bail pending appeal.

2. The trial Court convicted and sentenced the petitioner / A.3 as detailed below:-

Conviction	Sentence
(i) Section 120-B I.P.C.	(i) One year rigorous imprisonment and imposed fine of Rs.5,000/-, in default to undergo three months simple imprisonment.
(ii) Section 465 read with 471 I.P.C. (counts)	(ii) Two years rigorous imprisonment and imposed fine of Rs.10,000/-, in default to undergo six months simple imprisonment.

3. Learned counsel appearing for the petitioner submitted that there are several infirmities and inconsistencies found in the

prosecution case and there are contradictions in the material particulars between the evidence of the prosecution witnesses. Further, he has submitted that the fine amount was already paid and the trial Court has suspended the sentence imposed on the petitioner till 17.9.2016. Thus, he prays for suspension of sentence and to release the petitioner on bail.

4. I have heard the learned Special Public Prosecutor for CBI Cases.

5. Considering the facts and circumstances of the case and in view of the fact that there are arguable points involved in the appeal as contended by learned counsel for the petitioner and further the appeal is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioner is entitled to the relief of suspension of sentence.

6. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail on his 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 learned Principal Special Judge / VIII Additional City Civil Court, Chennai, and on further condition that the petitioner shall appear before the said Court, on the first working day of every month at 10.30 a.m. until further orders.

02.09.2016

sbi

R.SUBBIAH, J

sbi

Crl.M.P.No.9434 of 2016

in

Crl.A.No.674 of 2016

DATED: 2.9.2016