



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Nineteenth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP(MD) No.3136 of 2016

IN

CRL RC(MD) No.242 of 2016

M. ARUN

... PETITIONER/PETITIONER.

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
Q BRANCH CID,
DINDIGUL,
DINDIGUL DISTRICT,
CR NO. 1 OF 2013.

... RESPONDENT/RESPONDENT.

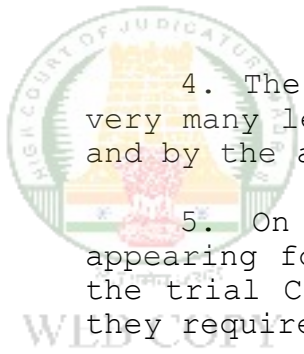
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to SUSPEND THE SENTENCE imposed on me by the learned Principal sessions Judge, Dindigul district, Dindigul dated 22.01.2016 made in C.A. No. 28 of 2014 confirming the sentence imposed on me by the Learned Judicial Magistrate , Nilakottai, Dindigul dated 06.08.2014 made in C.C. No. 328 of 2013 of directing me to undergo an imprisonment in the nature of Rigorous Imprisonment for three years for each offence as such 120 (b), 406, and 420 of IPC and also to pay a fine of Rs. 1000/- for each offence as stated above and in default to undergo simple imprisonment for three months for each offences as above said, pending disposal of the above Criminal Revision Petition.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S S.PALANI VELAYUTHAM, Advocate for the petitioner and of MRS.S.PRABHA, Government Advocate(Crl.Side), on behalf of the Respondent, the court made the following order:-

The revision petitioner challenges the legality and propriety of the conviction and sentence recorded by the trial Court as well as the appellate Court.

2. The revision petitioner is A3 in a case under Section 120-B, 406 and 420 of I.P.C., in C.C.No. 328 of 2013. The learned Judicial Magistrate, Nilakottai, Dindigul District convicted A3 and sentenced him to undergo rigorous imprisonment for three years for each offence and fined him Rs.1,000/- in default to undergo simple imprisonment for three months for each offence and also directed A3 to pay a compensation of RS.12,00,000/- to the victims.

<https://hcservices.courts.gov.in/hcservices>
3. The learned Principal Sessions Judge, Dindigul District, Dindigul confirmed the conviction and sentence and dismissed the Criminal Appeal No.28 of 2014.



4. The learned counsel for the petitioner submitted that there are very many legal infirmities in the conviction recorded by the trial Court and by the appellate Court and they required to be revised.

5. On the other hand, the learned Government Advocate(Crl.side) appearing for the respondent would submit that the conviction recorded by the trial Court as well as the appellate Court are perfectly correct and they require no disturbance.

6. In the facts and circumstances, perusing the impugned judgments and the materials on record, I am of the view that certain eminently arguable points are involved in this Criminal Revision. They are required to be examined in detail at the main criminal revision. It will take some time for the disposal of this Criminal revision. I see prima facie case. I am inclined to grant revision bail to the petitioner.

7. In view of the above, ordered as under:

(1) Revision bail granted

(2) Sentence of imprisonment awarded by the learned Judicial Magistrate, Nilakottai, Dindigul District in C.C.No.328 of 2013 as confirmed by the learned Principal Sessions Judge, Dindigul District, Dindigul in Crl.A.No.28 of 2014 alone is suspended.

(3) There shall be two sureties, they and the petitioner shall execute a bond for Rs.15,000/- (Rupees Fifteen Thousand Only) each to the satisfaction of the learned Judicial Magistrate, Nilakottai, Dindigul District.

(4) The petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m.until further orders.

sd/-

19/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, NILAKOTTAI, DINDIGUL DISTRICT.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE PRINCIPAL SESSIONS JUDGE, DINDIGUL DISTRICT.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 5 THE INSPECTOR OF POLICE, Q BRANCH CID, DINDIGUL, DINDIGUL DISTRICT,
- 6 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S S.PALANI VELAYUTHAM Advocate SR.No.37734.

ORDER

IN

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Date :19/07/2016