

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

Wednesday, the Fourth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL MP(MD) No.3971 of 2016
IN
CRL RC(MD) No.296 of 2016

SAMIKANNU

... PETITIONER/APPELLANT/
ACCUSED

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE
LALAPET POLICE STATION,
TRICHY DISTRICT.CRIME NO. 15/2012

... RESPONDENT / RESPONDENT
/ COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence in judgment dated 30.11.2015 passed by the sessions Judge Karur in C.A. No.23 of 2013 modifying the judgement dated 4.9.2013 made in C.C. No.90 of 2012 on the file of J.M. No.1, Kulithalai pending disposal of the above Criminal Revision Petition Trichy.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.N.MOHAN, Advocate for the petitioner and of Mr.A.P.BALASUBRAMANI, Government Advocate (Crl. Side), for the Respondent while admitting the petition, this court made the following order:-

The petitioner seeks for suspension of the substantive sentence of imprisonment imposed on him in Crl.A.No.23/2013 by the judgment dated 30.11.2015 modifying the conviction and sentence of imprisonment imposed by the learned Judicial Magistrate, No.I, Kulithalai, in C.C.No.90 of 2012 by the judgment dated 04.09.2013.

2. This Criminal Revision has been filed challenging the judgment in Crl.A.No.23 of 2013 convicting the accused for offence under Section 304-A IPC and sentenced him to undergo simple imprisonment for 6 months and to pay a fine of Rs.3,000/-, in default, to undergo simple imprisonment for one month.

3. The petitioner has raised substantial grounds in the revision petition. Since the revision will not be taken up immediately, it will be in the interest of justice, the sentence can be suspended and the accused can be ordered to be released on bail. Accordingly, the substantive sentence imposed upon the petitioner in

Crl.A.No.23 of 2013 on 30.11.2015 by the Sessions Judge, Karur, is suspended and the accused is directed to be released on bail on the following conditions:-

a) The substantive sentence of imprisonment alone shall be suspended pending disposal of the revision on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties each for the like sum to the satisfaction of the learned Judicial Magistrate, No.I, Kulithalai.

b) On such release, the petitioner shall report before the Court of Judicial Magistrate No.I, Kulithalai, on the first day of every English calendar month until further orders.

sd/-
04/05/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE-I
KULITHALAI
2. -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT
3. THE SUPERINTENDENT
CENTRAL JAIL, TRICHY
4. THE INSPECTOR OF POLICE
LALAPET POLICE STATION, TRICHY DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
6. THE SESSIONS JUDGE, KARUR

+1. C.C. to M/S.N.MOHAN Advocate SR.No.25927

ORDER
IN
CRL MP(MD) No.3971 of 2016
IN
CRL RC(MD) No.296 of 2016
Date :04/05/2016

sj
SH/AAL-MPA/SAR-I:04.05.2016:2P/8C