



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

Wednesday, the Eleventh day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice P.KALAIYARASAN

CRL MP(MD) No.3989 of 2016
IN
CRL RC(MD) No.298 of 2016

CHINNAKALAI

... PETITIONER/PETITIONER

Vs

THE STATE BY
THE SUB INSPECTOR OF POLICE
C.S.C.I.D., DINDIGUL.
(CRIME NO. 16 OF 2009) ... RESPONDENT/RESPONDENT

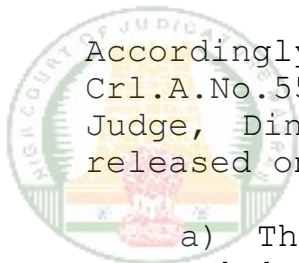
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to enlarge the petitioner on bail by suspending the sentence imposed in Crl.A.No. 55 of 2013 by the Principal Sessions Judge, Dindigul dated 09.03.2014, confirming the Judgment of conviction and sentence made in C.C.No. 189 of 2010, by the Judicial Magistrate No.III, Dindigul dated 27.08.2013

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S T.LENIN KUMAR, Advocate for the petitioner and of MR.A.P.BALASUBRAMANI Government Advocate (Crl.Side) for the Respondent while admitting the Criminal Revision Case the court made the following order:-

The petitioner seeks for suspension of the substantive sentence of imprisonment imposed on him in Crl.A.No.55 of 2013 by the judgment dated 09.03.2016 confirming the judgment dated 27.08.2013 passed by the learned Judicial Magistrate No.III, Dindigul in C.C.No.189 of 2010.

2. This Criminal Revision has been filed challenging the judgment in Crl.A.No.55 of 2013 convicting and sentencing the accused to undergo Rigorous Imprisonment for six months and also to pay a fine of Rs.500/-, in default to undergo Simple Imprisonment for one month for the offence under Clause 6(4) of TNSC (RDCS) Order, 1982 r/w 7(1)(a)(ii) of E.C.Act, 1982.

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 CrI.A.No.55 of 2013 on 09.03.2016 by the learned Principal Sessions Judge, Dindigul, 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.III, Dindigul.

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

sd/-
11/05/2016

/ TRUE COPY /

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

AR/SMN-2

TO

1 THE PRINCIPAL SESSIONS JUDGE, DINDIGUL

2 THE JUDICIAL MAGISTRATE NO.III, DINDIGUL

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT

4 THE SUB INSPECTOR OF POLICE, C.S.C.I.D., DINDIGUL.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S T.LENIN KUMAR Advocate SR.No. 26216

ORDER
IN
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IN
CRL RC(MD) No.298 of 2016
Date :11/05/2016

GJM/JGB/SS/SAR-I-12.5.16-2P-8C