

Crl.M.P.No.11697 of 2016

in

Crl.R.C.No.1302 of 2016

C.T.SELVAM, J

Petitioner/A1 and two others faced trial in C.C.No.389 of 2008 on the file of learned Judicial Magistrate, Sirkazhi. Trial Court, under judgment dated 20.09.2012, convicted petitioner/A1 for offences u/s.417 IPC and 4 of Tamil Nadu Prohibition of Women Harassment Act, 1998 and sentenced him to 1 year S.I. and fine of Rs.2,000/- i/d 1 month S.I. for offence u/s.417 IPC and 6 months S.I. and fine of Rs.10,000/- and compensation of Rs.50,000/- to PW-1 for offence u/s.4 of Tamil Nadu Prohibition of Women Harassment Act, 1998. There against, petitioner preferred an appeal in C.A.No.59 of 2012 on the file of learned Sessions Judge, Fast Track Mahila Court, Nagapattinam, which came to be dismissed under judgment dated 21.04.2016. This miscellaneous petition has been filed seeking suspension of sentence.

2. Learned counsel for petitioner would submit that there are several infirmities and inconsistencies in the prosecution case. Learned counsel further informs that petitioner is now confined at Central Prison, Trichy.

3. Heard learned Government Advocate [Crl.side] on the submissions made by learned counsel for petitioner.

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4. Taking into consideration the submissions of learned counsel for petitioner and that the revision is not likely to be taken up for final hearing in the near future, this Court is of the view that the petitioner herein may be granted the relief of suspension of sentence.

Accordingly, the substantive sentence of imprisonment alone is suspended and petitioner is directed to be enlarged on bail on condition that the petitioner shall execute a bond in a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of learned Judicial Magistrate, Sirkazhi and on further condition that petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m. pending revision.

20.01.2017

Note to office: Issue today

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