

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Second day of September Two Thousand

Seventeen

PRESENT

The Hon`ble Mr Justice N. AUTHINATHAN

CRIMINAL MISCELLANEOUS PETITION No.12247 of 2017

IN CRL A.612/2017

PRAKASH,

[PETITIONER]

Vs

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VIKKIRAVANDI, VILLUPURAM DISTRICT
CR.NO.153 OF 2014.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Crl.A.No.612/2017 on the file of the High Court, the High Court will be pleased to suspend the sentence in S.C.No.325 of 2012 dated 07.09.2017 on the file of Sessions Judge, Magalir Needhi Mandram, Fast Track Court, Villupuram pending disposal of the above C.A.No.612 of 2017.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A 612/2017 on the file of the High Court and upon hearing the arguments of M/S.R.RAJARAJAN, Advocate for the petitioner and of MR. K. MATHAN. MATHAN, Government Advocate (Crl.side) on behalf of the Respondent the court made the following order:-

Heard both sides.

2 . The petitioner seeks suspension of sentence pending disposal of the appeal.

3. The petitioner is the accused in Sessions Case No.325 of 2014 on the file of the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Villupuram and he was convicted for the offence under Section 417 of IPC and sentenced to undergo rigorous imprisonment for one year and to

pay a fine of Rs.50,000/- as compensation to the prosecutrix, in default to undergo rigorous imprisonment for three months. Aggrieved by the order of conviction and sentence, the petitioner herein preferred an Appeal and pending appeal, he filed this petition for suspension of sentence.

2. The learned counsel appearing for the petitioner would submit that there are arguable points in the appeal and that therefore, he prayed for the suspension of the sentence.

3. The learned Government Advocate (Crl. Side) has not raised any serious objection.

4. I have perused the materials on record and the judgment of the Trial Court. There is no fear that the petitioner will flee from justice. Hence, I am inclined to suspend the substantive sentence of imprisonment alone subject to the following conditions.

5. The sentence of imprisonment imposed on the petitioner by the trial Court alone is hereby suspended till the disposal of the appeal and the petitioner is ordered to be released on bail on his executing a bond for Rs.5,000/- [Rupees five thousand only] with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Magalir Needhimandram, Fast Track Court, Villupuram, within a period of two weeks from the date of receipt of a copy of this order and on further condition that the petitioner shall report before the said court, on the first working day of every month at 10.30 a.m., until further orders.

-sd/-
22/09/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, VIKKIRAVANDI,
VILLUPURAM DISTRICT CR.NO.153 OF 2014.

2 THE SESSIONS JUDGE
MAGALIR NEEDHIMANDRAM, FAST TRACK COURT,
VILLUPURAM

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S.R.RAJARAJAN Advocate on payment of necessary
charges Sr.No.18442

Order
in
CRL MP.12247/2017
in
CRL A.612/2017

Date :22/09/2017

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MD: 22/09/2017