

Crl.M.P.No.2487 of 2017

in

Crl.A.No.83 of 2017

C.T.SELVAM, J.

Petitioner was convicted for offences under Sections 4 of the Tamil Nadu Prohibition of Harassment of Women Act and 307 IPC and sentenced to 2 years R.I. and fine of Rs.10,000/- i/d 3 months R.I. for offence u/s.4 of the Tamil Nadu Prohibition of Harassment of Women Act and 7 years R.I. and fine of Rs.5,000/- i/d 6 months R.I. for offence u/s.307 IPC by learned Sessions Judge, Chennai, under judgment dated 06.02.2017 in S.C.No.374 of 2014. Hence, petitioner seeks suspension of sentence.

2. Learned counsel for petitioner would submit that the petitioner is confined at Central Prison, Puzhal and there are several infirmities and inconsistencies found in the prosecution case. It is contended that there are contradictions in the material particulars between the evidence of the prosecution witnesses.

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

4. Considering the facts and circumstances of the case and in view of the fact that there are several infirmities in the prosecution case and there are arguable points involved in the appeal, as contended by learned counsel for petitioner, and further the appeal is not likely to be taken up for final

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hearing in the near future, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

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

13.04.2017

Note to office:
Issue today

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