

Crl.M.P.No.7526 of 2017
in
Crl.A.No.323 of 2017

V.PARTHIBAN, J.

The petitioner, who is the sole accused in Special S.C.No.61 of 2015 on the file of the Mahila Court (Fast Track) Dharmapuri, seeks suspension of sentence, against the sentence imposed, by judgment dated 10.05.2017, by granting him appeal bail under Section 374(2) of Cr.P.C pending disposal of the above appeal.

2. After trial, petitioner/appellant, was convicted and sentenced as under:-

Under Section 323 of IPC, sentenced to undergo one year simple imprisonment and to pay a fine of Rs.1,000/-, in default to undergo one month imprisonment.

3. The learned counsel for the petitioner submitted that the petitioner/appellant has a fair chance of success in the appeal and there are triable issues in the main criminal appeal. He also submitted that the petitioner has paid the fine amount of Rs.1,000/- before the trial court and the sentence of imprisonment has been suspended till 07.07.2017. In the circumstances, he may be granted bail.

4. Heard the learned Government Advocate appearing for the State.

5. I have considered the rival submissions, perused the judgment of the trial court and the evidence pointed out by either side.

6. Considering the facts and circumstances of the case, I find that some arguable points are involved in this criminal appeal, which are required to be examined in detail. Accordingly, I am inclined to grant the following relief:-

(a) Appeal bail is granted to the petitioner/appellant.

(b) His sentence of imprisonment alone is suspended on condition that the petitioner executes 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 Mahila Court (Fast Track) Dharmapuri.

(c) Petitioner/appellant shall report before the said Court on the first working day of every month at 10.30 am., until further orders.

19.06.2017
(2/2)

KP/GSK

V.PARTHIBAN,J.

KP/GSK

Crl.M.P.No.7526 of 2017
in Crl.A.No.323 of 2017

<http://www.judis.nic.in>

19.06.2017