

Crl.M.P.No.7657 of 2017
in
Crl.A.No.335 of 2017

V.PARTHIBAN, J.,

The petitioner, who is the sole accused in Special S.C.No. 334 of 2016, on the file of the learned Sessions Judge, Magalir Needhi Mandram (Fast Track Mahila Court), Villupuram, against the sentence imposed, by judgment dated 15.06.2017, by granting him appeal bail pending disposal of the above appeal.

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

Under Section 417 of IPC, sentenced to undergo one year rigorous imprisonment and also imposed with fine of Rs.5000/-.

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.5,000/- before the trial court. In the affidavit filed in support of the Crl.M.P, it is stated that the sentence of imprisonment has been suspended till 14.07.2017, in such circumstances, the petitioner sought for suspension of sentence.

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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 Judicial Magistrate, Gingee.

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

21.06.2017

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