

Crl.M.P.Nos.7966 & 7968 of 2017
in
Crl.R.C.No.858 of 2017

V.BHARATHIDASAN, J.,

The petitioners seek suspension of their sentence of imprisonment in Crl.M.P.No.7966 of 2017 and exemption from surrendering before the trial court in Crl.M.P.No.7968 of 2017.

2. The petitioners faced trial in C.C.No.3260 of 2015 on the file of the XVII Metropolitan Magistrate, Saidapet, Chennai and the trial Court, by a judgment dated 05.10.2016, convicted the petitioners/accused for the offences under Sections 341, 294(b), 326 and 506(ii) I.P.C. and sentenced them to undergo simple imprisonment for one month and to pay a fine of Rs.500/- each, in default, to undergo simple imprisonment for one month for the offence under Section 341 IPC and to undergo simple imprisonment for 3 months and to pay a fine of Rs.1000/-each, in default, to undergo simple imprisonment for one month for the offence under Section 294(b) IPC and to undergo simple imprisonment for one year each and to pay a fine of Rs.1000/-each, in default to undergo simple imprisonment for one month for the offence under Section 326 IPC and to undergo simple imprisonment for 3 months and to pay a fine of Rs.1000/-each, in default, to undergo simple imprisonment for one month each for the offence under Section 506(ii) IPC and ordered the sentences to run concurrently.

3. Challenging the above said conviction and sentence, the petitioners preferred an appeal in C.A.No.265 of 2016 on the file of the XIX Additional Sessions Court, City Civil Court, Chennai and the lower appellate court confirmed the order of conviction and sentence passed by the trial court and

dismissed the appeal, by a judgment dated 27.04.2017.

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4. Challenging the same, the present revision has been filed along with these petitions for suspension of sentence and exemption from surrendering before the trial court.

5. Heard the learned counsel appearing for the petitioners and perused the impugned judgments and the materials available on record.

6. Taking into consideration of the submission of the learned counsel appearing for the petitioners, since there are some arguable points involved in the revision, I am inclined to suspend the substantive sentence of imprisonment alone.

7. Accordingly, pending revision, **substantive sentence of imprisonment is suspended** and the petitioners are released on bail on each of them executing 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 XVII Metropolitan Magistrate, Saidapet, Chennai, with further condition that they shall appear before the said court on the first working day of every month at 10.30 a.m., until further orders. The surrender of the petitioners before the trial Court is exempted.

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29.06.2017
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