



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Eighteenth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL MP (MD) No.3992 of 2017
IN
CRL RC (MD) No.400 of 2017

A.SURESH BABU ... PETITIONER/APPELLANT/
ACCUSED.

Vs

G.NARAYANAN ... RESPONDENT/ RESPONDENT/
COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence of the Petitioner passed by the Learned Judicial Magistrate No. 2 (Fast Track Level) Madurai in S.T.C No. 383 of 2012 on 19.05.2016 which is confirmed by the VI th Additional District Sessions Court in C.A No. 40 of 2016 on 21.12.2016 pending disposal of the above Criminal Revision Petition.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.R.SATISH, Advocate for the petitioner the court made the following order:-

The petitioner challenges the legality and propriety of the conviction and sentence recorded by the Trial Court as well as by the Appellate Court.

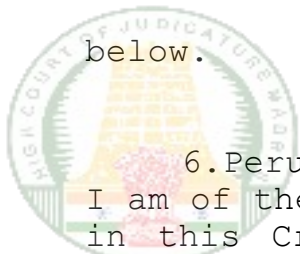
2.The revision petitioner is the accused in S.T.C.No.383 of 2012 on the file of the Judicial Magistrate Court No.II [FTC Level], Madurai.

3.The learned Principal Sessions Judge, Madurai, confirmed the conviction and sentence and dismissed the Criminal Appeal No.40 of 2016.

4.The learned counsel for the petitioner submitted that there are very many legal infirmities in the conviction recorded by the Trial Court and by the Appellate Court and they are required to be revised. There is prima facie case in favour of the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

5.I have anxiously considered the submissions, perused the averments in the bail petition, impugned Judgment of the Courts



below.

6. Perusing the impugned judgments and the materials on record, I am of the view that certain eminently arguable points are involved in this Criminal Revision. They are required to be examined in detail in the main Criminal Revision. It will take some time for the disposal of this Criminal Revision. I see prima facie case. I am inclined to grant revision bail to the petitioner.

7. In view of the foregoing, ordered as under:

- (i) Revision bail granted.
- (ii) Sentence of imprisonment ordered by the Trial Court as confirmed by the Appellate Court alone is suspended.
- (iii) There shall be two sureties, they and the petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) each to the satisfaction of the learned Judicial Magistrate No.II, Fast Track Court, Madurai.
- (iv) The petitioner shall appear before the concerned Court on the first working day of every month at 10.30 a.m., until further orders.

sd/-

18/05/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE PRINCIPAL SESSIONS JUDGE, MADURAI.

2. JUDICIAL MAGISTRATE NO.II, FAST TRACK COURT, MADURAI.

3. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

4. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

5. WITH ADDITIONAL DISTRICT SESSIONS COURT, MADURAI.

+1. C.C. to M/S.R.SATISH Advocate SR.No.22448

ORDER

IN

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IN

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Date : 18/05/2017