



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

Wednesday, the Thirteenth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL MP (MD) No.8420 of 2017
IN
CRL RC (MD) No.719 of 2017

NAVEEN RAJA

... PETITIONER/PETITIONER

Vs

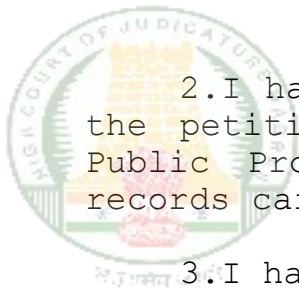
THE STATE REP.BY
THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION,
DINDIGUL DISTRICT,
CRIME NO.428/2012.

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed on the petitioner vide order dated 21/03/2017 made in Crl.A.No.15/2016 on the file of the Learned Principal Sessions Judge, Dindigul confirming the order of conviction passed by the Learned Judicial Magistrate dated 16/03/2016 in C.C.No.24/2015 till the disposal of the above Crl.R.C.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.J.LAWRANCE, Advocate for the petitioner and of MR.CMAYILVAHANA RAJENDRAN, Additional Public Prosecutor for the Respondent the court made the following order:-

The petitioner is the accused in C.C.No.24 of 2015, on the file of the learned Chief Judicial Magistrate, Dindigul. He stood charged for an offence under Sections 294(b), 324, 427 and 506(ii) IP.C. The court below convicted the petitioner for an offence punishable under Sections 323 and 324 I.P.C, and imposed a fine of Rs.1000/-, in default to undergo three months simple imprisonment under Section 323 I.P.C and also sentenced him to undergo six months rigorous imprisonment and also imposed a fine of Rs.3,000/-, in default to undergo six months simple imprisonment. Challenging the same, he preferred an appeal in Crl.A.No.15 of 2016 on the file of the Principal Sessions Judge, Dindigul. The lower appellate Court dismissed the appeal, by confirming the conviction and sentence passed by the trial court. Challenging the same, the petitioner has filed Crl.R.C(MD).No.719 of 2017. Pending revision, in order to suspend the conviction and sentence imposed on the petitioner, the present petition has been filed.



2.I have heard Mr.J.Lawrance, the learned Counsel appearing for the petitioner and Mr.C.Mayilvahana Rajendran, learned Additional Public Prosecutor appearing for the respondent and perused the records carefully.

3.I have considered the rival submissions.

4.Considering the facts and circumstances of the case and since there are some arguable points involved in the revision and it may take a long time for taking up the revision for hearing, I am constrained to suspend the sentence of imprisonment alone imposed against the petitioner.

5.In fine, this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner alone is suspended and the petitioner shall be released on bail on each executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) along with two sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Dindigul, with a further condition that the petitioners shall report before the committal Court on the first working day of every English Calender month at 10.30 a.m., till the disposal of the revision or until further orders.

sd/-
13/09/2017

/ TRUE COPY /

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

VS
TO

- 1 THE PRINCIPAL SESSIONS JUDGE,DINDIGUL
- 2 THE CHIEF JUDICIAL MAGISTRATE,DINDIGUL
- 3 THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION, DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.J.LAWRANCE Advocate SR.No.30791

GJM/PM/PN/SAR-2-15.9.17-2P-6C

ORDER
IN
CRL MP(MD) No.8420 of 2017
IN
CRL RC(MD) No.719 of 2017
Date :13/09/2017