



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

Tuesday, the Thirty First day of January Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL MP (MD) No.867 of 2017

IN

CRL RC (MD) No.101 of 2017

CHELLAPPAN

... PETITIONER/APPELLANT

Vs

STATE OF TAMILNADU
THE INSPECTOR OF POLICE,
TRAFFIC INVESTIGATION,
KOTTAR,
NAGERCOIL
CRIME NO.69/2007
KANYAKUMARI DISTRICT

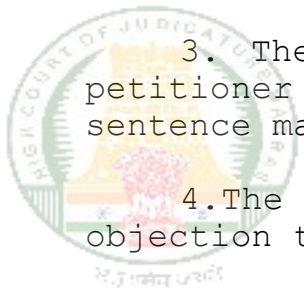
... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence passed against me dated 04/11/2016 in Crl.A.No.143/2008 on the file of Fast Track Mahila Court, Nagercoil in STC.No.3140/2007 order passed by the Judicial Magistrate No.3, Nagercoil pending disposal of the above Crl.A.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.H.VELAVADHAS, Advocate for the petitioner and of MRS.S.PRABHA, Government Advocate (Crl.side) on behalf of the Respondent the court made the following order:-

Mrs.S.Prabha, learned Government Advocate (crl. Side) takes notice for the respondent police.

2.This petition has been filed to suspend the sentence imposed by the learned Judicial Magistrate No.III, Nagercoil in S.T.C.No.3140 of 2007, wherein the petitioner/appellant was found guilty and sentenced by the trial Court for the offences under Section 304(A) IPC for three months R.I. with Rs.1000/- fine and if the amount is not paid by the petitioner, the further one month R.I. was imposed by the trial Court. The said order was challenged by the petitioner before the Fast Track Mahila Court, Nagercoil in Crl.A.No.143 of 2008. On 04.11.2016, the appellate Court punished the petitioner imposing one month R.I. The said punishment is challenged before this Court in the present Civil Revision Petition.



3. The learned counsel for the petitioner submitted that the petitioner is not involved in the offence and therefore, the sentence may be suspended.

4. The learned Government Advocate (Criminal side) has no objection to allow this petition.

5. Considering the facts and circumstances of the case, I am of the view that the petitioner is entitled for bail. Accordingly, the petition stands allowed and the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be released on bail on her executing a bond for Rs.10,000/- (Rupees Ten Thousand Only), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Nagercoil, and on such release, the petitioner shall report before the said Court on the first working day of every month, till the disposal of the revision.

sd/-

31/01/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE JUDGE, FAST TRACK MAHILA COURT, NAGERCOIL.

4 THE INSPECTOR OF POLICE,
TRAFFIC INVESTIGATION, KOTTAR, NAGERCOIL

5 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.H.VELAVADHAS Advocate SR.No.5154

rj2

CSL/SV-MMS/SAR-I/03.02.2017 : 2P/7C

ORDER

IN

CRL MP (MD) No.867 of 2017

IN

CRL RC (MD) No.101 of 2017

Date : 31/01/2017



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