

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Eleventh day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice C. T. SELVAM

CRIMINAL MISCELLANEOUS PETITION No.10656 of 2017

IN CRL RC.1124/2017

MURUGESAN,

[PETITIONER]

Vs

UNION OF INDIA

[RESPONDENT]

REPRESENTED BY SUB INSPECTOR OF RPF,
RAILWAY PROTECTION FORCE,
ICF SHELL, CHENNAI-600 038.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.1124/2017 on the file of the High Court, the High Court will be pleased to suspend the sentence of imprisonment by the lower courts i.e six months in C.A.No.138/2012 order dated 7.6.2017 and by Trial Court i.e. learned VI M.M. Court in C.C.No.5793/2003 order dated 16.6.2012 for an alleged offence u/s.3(a) RP(UP) Act.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.1124/2017 on the file of the High Court and upon hearing the arguments of MR. A.EDWIN PRABAKAR Advocate for the petitioner and of MR.V.ARUL ADDL.PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

Petitioner/A-6 faced trial in CC.No.5793/2003 on the file of learned VI Metropolitan Magistrate, Egmore, Chennai. Trial Court, under judgment dated 16.06.2012, convicted the petitioner for the commission of the offence u/s.3[a] of the RP[UP] Act and sentenced him to undergo six months simple imprisonment. Challenging the conviction and sentence, the petitioner has preferred an appeal in CA.No.138/2012 and the Lower Appellate Court, under judgment dated 07.06.2017, has confirmed the conviction and sentence imposed by the Trial Court and challenging the same, the present revision is filed and pending revision, this miscellaneous petition has been filed seeking suspension of sentence.

2 Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor appearing for the respondent.

3 Taking into consideration the submissions of learned counsel for petitioner and that the revision is not likely to be taken up for final hearing in the near future , this Court is of the view that petitioner herein may be granted the relief of suspension

of sentence.

4 Accordingly, the substantive sentence of imprisonment alone is suspended and petitioner is directed to be enlarged on bail on condition that the petitioner shall execute a bond in a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of learned VI Metropolitan Magistrate, Egmore, Chennai and on further condition that petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m. pending revision.

5 Post CrI.RC.Nos.1095 and 1124/2017 on 29.01.2018.

-sd/-

11/01/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
NO.VI, EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 UNION OF INDIA
REPRESENTED BY SUB INSPECTOR OF RPF,
RAILWAY PROTECTION FORCE,
ICF SHELL, CHENNAI-600 038.

+2 C.C. to M/S.A. EDWIN PRABAKAR Advocate on payment of
necessary charges SR.NO. 798

Order

in
CRL MP.10656/2017

in
CRL RC.1124/2017

Date :11/01/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
RD 11/01/2018