

5.However, the learned Magistrate had not taken the extreme stage. When the accused appears before the Court in a bailable case under Section 436(1) of CrPC, he shall be released on bail. Only if the accused is on bail, the Court cannot suspend the sentence, if he is convicted under Section 389(3) of CrPC.

6.The learned counsel appearing for the petitioner submitted that the petitioner is ready and willing to execute a bond for Rs.10,000/- with two sureties, as directed by the learned Magistrate earlier.

7.Accepting the said submission, the petitioner is directed to surrender before the trial Court within a period of two weeks from the date of receipt of a copy of this order and file an application under Section 436(1) of CrPC for bail. On such application being filed, the petitioner shall be released on bail on the same day on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the trial Court. Thereafter, the direction issued by the trial Court for deposit of Rs.50,000/- will stand cancelled. If the petitioner absconds, a fresh FIR can be registered against him under Section 229A IPC.

With the above direction, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate No.I,
Kanchipuram.

2.The Public Prosecutor,
Madras High Court,
Chennai.

+1 cc to Mr.K.G.Senthil Kumar Advocate sr 26074

Crl.O.P.No.11016 of 2018

aa11/04/2018