

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Tenth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.1904 of 2018

IN CRL RC.207/2018

ANTONY,

[PETITIONER]

Vs

1 THE INSPECTOR OF POLICE

[RESPONDENT]

SANKARI TALUK, SANKARI POLICE STATION.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Crl. R.C.NO.207/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed in C.C.No.151 of 2010 on the file of the Learned Judicial Magistrate No.1, Sankari in dated 23.05.2017 confirmed in Crl.A.No.64 of 2017 on the file of the Honble III Additional District and Sessions Judge, Salem dated 04.01.2018 and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.RC. No.207/2018 on the file of the High Court and upon hearing the arguments of M/S.R.JAYAPRAKASH, Advocate for the petitioner and of Public Prosecutor, on behalf of the Respondent the court made the following order:-

Learned counsel for the petitioner submits that the petitioner has been convicted by the learned trial Judge for the alleged offences under Sections 279 and 304(A) of IPC and imposed a fine of Rs.500/- in default to undergo one week Simple Imprisonment for the offence under Section 279 of IPC and he was also sentenced to undergo six months Simple Imprisonment and imposed a fine of Rs.500/- in default to undergo one month Simple Imprisonment for the offence under Section 304(A) of IPC. The said conviction and sentence imposed by the trial Court was confirmed by

the lower appellate Court. As against which, the present criminal revision case is filed.

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

3. This Court has considered the submissions made by the learned counsel on either side and perused the materials available on record.

4. Considering the grounds raised in the memorandum of grounds of criminal revision, this Court is of the considered view that the substantive sentence of imprisonment alone could be suspended pending revision.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Sankari, and on further condition that the petitioner shall report before the said Court on the first working day of every month at 10.30 a.m. pending disposal of the revision.

-sd/-

10/04/2018

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 JUDICIAL MAGISTRATE,
NO.I, SANKARI

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE III ADDITIONAL DISTRICT AND
SESSIONS JUDGE, SALEM

5 THE INSPECTOR OF POLICE
SANKARI TALUK, SANKARI POLICE STATION.

+1 C.C. to M/S.R.JAYAPRAKASH Advocate on payment of
necessary charges Sr.No.6981

Order
in
CRL MP.1904/2018
in
CRL RC.207/2018

Date :10/04/2018

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MD: 12/04/2018