

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.5530 of 2018

IN CRL RC.456/2018

MURUGESAN

[PETITIONER]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
PAPPARAPATTI POLICE STATION,
DHARMAPURI DISTRICT.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.456/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence made in Criminal Appeal No.1 of 2017 dated 24.01.2018 on the file of the Principal and Sessions Judge, in confirming the Judgment made in C.C.No.104 of 2009 dated 21.12.2016 on the file of the District Munsif cum Judicial Magistrate, Pennagaram and enlarge the petitioner on bail pending Crl.R.C.No.456 of 2018 [IN CRL.MP.NO.5530 OF 2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.456/2018 on the file of the High Court and upon hearing the arguments of M/S.V.SAKKARAPANI, Advocate for the petitioner and of MR.B.ARULMOZHIMARAN, Govt. Advocate (Crl. Side) 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, 337 and 304(A) of IPC and sentenced to undergo three months Simple Imprisonment for the offence under Section 279 of IPC; sentenced to undergo three months Simple Imprisonment for the offence under Section 337 of IPC and he was also sentenced to undergo six months Simple Imprisonment and to pay a fine of Rs.2,000/- in default to undergo one month Simple Imprisonment for the offence under Section 304(A) of IPC. The above sentences were ordered to run concurrently. 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 appearing for the respondent.

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, Pennagaram, 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,
PENNAGARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
PAPPARAPATTI POLICE STATION,
DHARMAPURI DISTRICT.

+1C.C. to M/S.V.SAKKARAPANI Advocate on payment of necessary charges SR NO.6913

Order

in
CRL MP.5530/2018

in
CRL RC.456/2018

Date :10/04/2018

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MK:12/04/2018