

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.6203 of 2018

IN CRL RC.524/2018

MOHAN KARTHIK

[PETITIONER / APPELLANT / ACCUSED]

Vs

STATE BY

[RESPONDENT]

INSPECTOR OF POLICE,
TRAFFIC INVESTIGATION POLICE STATION,
AMBATTUR, CHENNAI.
CR.NO.480 OF 2008

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.524/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on him by the learned Judicial Magistrate, Ambattur, Chennai in CC No.66 of 2009 by judgment dated 07.04.2017 which was confirmed by the appellate court in C.A.No.57 of 2017 by judgment dated 21.03.2018 on the file of the learned I Additional Sessions Judge, Tiruvallur, Tiruvallur District and enlarge him bail pending disposal of the above CRL RC.524/2018 [IN CRL.MP.NO.6203 OF 2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.524/2018 on the file of the High Court and upon hearing the arguments of M/S.L.MAHENDRAN, Advocate for the petitioner and of MR. R.SURYA PRAKASH, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

The Petitioner/Appellant has come forward with Crl. M.P. No.6203 of 2018 seeking to suspend the sentence imposed on him by the learned learned Judicial Magistrate, Ambattur, Chennai in C.C.No.66 of 2009 by judgment dated 07.04.2017, which was confirmed by the I Additional Sessions Judge, Tiruvallur in Crl.A.No.57 of 2017 dated 21.05.2018, convicting him for the offence punishable under Section 279 of IPC and sentenced him to undergo Simple Imprisonment for a period of three months with fine of Rs.500/- in default to undergo Simple Imprisonment for a period of one week and convicting the petitioner for the offence punishable under Section 304 (A) of IPC and sentenced him to undergo Simple Imprisonment for a period of Six months with fine of Rs.5,000/- in default to undergo Simple Imprisonment for a period of One month. However, the sentences were ordered to run concurrently.

2. The learned counsel for the petitioner submits that there are inconsistencies in the evidence of the witnesses which were not properly considered by the Courts below. It is further stated that there are arguable points involved in the revision and further the revision is not likely to be taken up for final hearing in the near future. Hence, he prayed for suspending the substantial portion of the sentence alone pending disposal of the present Criminal revision.

3. Having regard to the submission of the learned counsel for the petitioner, this Court is inclined to suspend the sentence imposed on the petitioner/accused.

4. Accordingly, substantial sentence of imprisonment alone is suspended on condition the petitioner execute a bond for a sum of Rs.5,000/- with two sureties each for a like sum to the satisfaction of the Trial Court and on further condition that the petitioner shall report before the trial Court on the first working day of every month at 10.30 a.m, pending disposal of the revision.

-sd/-
11/07/2018

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,
AMBATTUR, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR DISTRICT [FOR INFORMATION]

3 THE I ADDITIONAL SESSIONS
JUDGE, TIRUVALLUR, TIRUVALLUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
TRAFFIC INVESTIGATION POLICE STATION,
AMBATTUR, CHENNAI.

+1C.C. to M/S.L.MAHENDRAN Advocate on payment of necessary
charges SR NO.12821

Order

in
CRL MP.6203/2018

in
CRL RC.524/2018

Date :11/07/2018

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

MK:16/07/2018