

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION Nos.6679 & 6681 of 2018

IN CRL RC.566/2018

M.JYOTHIMANI

[PETITIONER]

Vs

S.MAHALINGAM,

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.566/2018 on the file of the High Court, the High Court will be pleased to

[i] suspend the sentence made in order 09.08.2017 in C.A.No.3 of 2016 on the file of 2nd Additional District and Session Judge at Tiruppur in confirming the Judgment dated 08.12.2015 in C.C.No.543 of 2012 on the file of Judicial Magistrate at Avinashi pending disposal of this CRL RC.566/2018 [IN CRL.MP.NO.6679 OF 2018]

[ii] exempt the petitioner from surrendering before the trial court in C.C.No.543 of 2012 on the file of Judicial Magistrate at Avinashi pending disposal of this CRL RC.566/2018 [IN CRL.MP.NO.6681 of 2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.566/2018 on the file of the High Court and upon hearing the arguments of M/S.K.MYILSAMY, Advocate for the petitioner, the court made the following order:-

Considering the fact that there are arguable points in the revision and taking into consideration, the facts and circumstances of the case and taking note of the fact that the petitioner shall deposit 30% of the amount before the trial Court, this Court is inclined to suspend the sentence imposed on the petitioner/accused.

2. The sentence of the imprisonment imposed on the petitioner shall stand suspend on condition that the petitioner shall deposit 30% of the amount awarded by the Court below as compensation within a period of eight weeks from today and on such deposit, the petitioner shall release on bail on her executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the trial Court and on a 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.

3. In view of the suspension of sentence, the petitioner is exempted from surrendering before the appellate Court and Crl.M.P.No.6380 of 2018 is ordered accordingly.

-sd/-
06/06/2018

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 2ND ADDITIONAL DISTRICT
AND SESSIONS JUDGE, TIRUPPUR.

2 THE JUDICIAL MAGISTRATE,
AVINASHI.

3 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

+2C.C. to M/S.K.MYILSAMY Advocate on payment of necessary
charges SR NO.10067, 10068

Order

in
CRL MP.6679 & 6681 OF 2018

in
CRL RC.566/2018

Date :06/06/2018

From 7.2.2001 the Registry is issuing certified
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MK:19/06/2018