

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Fifth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION Nos.14120 & 14121 of 2018

in CRL.A.NO.643/2018

SIVAKUMAR

[PETITIONER/APPELLANT IN
BOTH THE PETITIONS]

Vs

STATE REP BY ITS
INSPECTOR OF POLICE,
W-15, ALL WOMEN POLICE STATION,
ROYAPURAM, CHENNAI.

[RESPONDENT IN BOTH THE PETITIONS]

Petitions praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal APPEAL No.643 OF 2018 on the file of the High Court, the High Court will be pleased to

(1) Suspend the fine amount passed by the Learned Sessions Judge, Mahila Court, Chennai in S.C.No.73 of 2015 dated 22.10.2018 pending CRL.A.NO.643/2018. (CRL.MP.14120/2018)

(2) suspend the sentence passed by the Learned Sessions Judge Mahila Court, Chennai in S.C.No.73 of 2015 dated 22.10.2018 and enlarge the petitioner on bail pending CRL.A.NO.643/2018. (CRL.MP.14121/2018)

Order : These petitions coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.643 of 2018 on the file of the High Court and upon hearing the arguments of MR.JOHN SATHYAN, FOR M/S.M.GOVINDARAJU, Advocate for the petitioner (IN BOTH THE PETITIONS) and of MS.V.SARATHA DEVI, Government Advocate (Crl.Side) on behalf of the Respondent (IN BOTH THE PETITIONS) the court made the following order:-

The petitioner/Accused stands convicted by the learned Sessions Judge, Mahila Court, Chennai, in S.C.No.73 of 2015, dated 22.10.2018, for the offence under Section 417 IPC and sentenced to undergo simple imprisonment for one year and to pay a fine of Rs.50,000/-, in default, to undergo further period of three months simple imprisonment.

2. Seeking to suspend the fine amount imposed by the learned Sessions Judge, Mahila Court, Chennai, in S.C.No.73 of 2015, dated 22.10.2018 pending appeal, the petition in Crl.M.P.No.14120 of 2018

has been filed by the petitioner/accused.

3. Seeking to suspend the sentence passed by the learned Sessions Judge, Mahila Court, Chennai, in S.C.No.73 of 2015, dated 22.10.2018 pending appeal, the petition in CrI.M.P.No.14121 of 2018 has been filed by the petitioner/accused.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI.Side) appearing for the State.

5. According to the petitioner, he is not in a position to pay the fine amount of Rs.50,000/- imposed by the trial Court.

6. Considering the facts and circumstances of the case, this Court is inclined to suspend the **sentence of imprisonment imposed on the petitioner till 08.11.2018.**

7. Accordingly, the petitioner shall 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 Sessions Judge, Mahila Court, Chennai, and on further condition that the petitioner shall appear and sign before the trial Court before 01.11.2018.

8. **The fine amount imposed on the petitioner shall stand suspended** subject to condition that after release, out of the fine amount of Rs.50,000/-, the petitioner shall deposit a sum of Rs.20,000/- [Rupees Twenty Thousand only] to the credit of S.C.No.73 of 2015 on the file of the learned Sessions Judge, Mahila Court, Chennai, on or before 08.11.2018.

9. Post the matter on 9.11.2018 for reporting compliance of the about said part payment of the fine amount.

-sd/-

25/10/2018

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 SESSIONS JUDGE,
MAHILA COURT, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

4 THE INSPECTOR OF POLICE,
W-15, ALL WOMEN POLICE STATION,
ROYAPURAM, CHENNAI.

+2 C.C. to M/S.M.GOVINDARAJU Advocate on payment of necessary
charges-Sr.19931

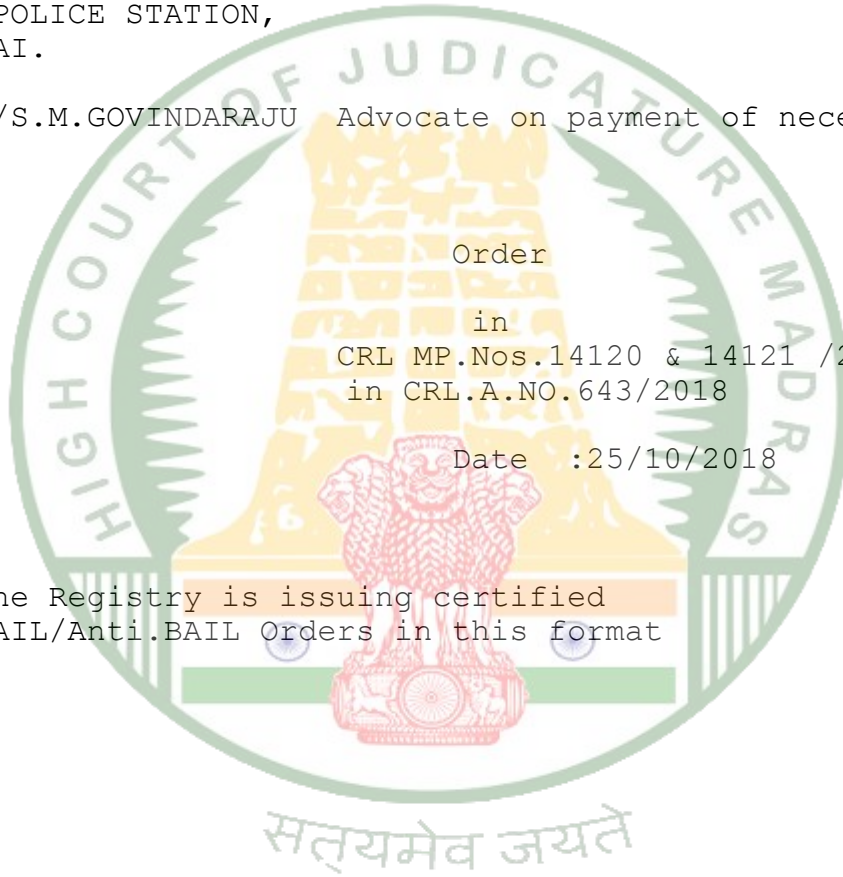
Order

in

CRL MP.Nos.14120 & 14121 /2018
in CRL.A.NO.643/2018

Date :25/10/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
THS : 26.10.2018



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