

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twentieth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice V. PARTHIBAN

CRIMINAL MISCELLANEOUS PETITION Nos.17503, 17504 and 17507 of 2018

IN CRL RC.Nos.1497, 1498 & 1499 of 2018

KARNAN

[PETITIONER /PETITIONER
in all the petitions]

Vs

1 SUMATHI

2 MINOR KAVIN PRABHU

3 MINOR SARVATHA

MINOR RESPONDENTS 2 AND 3 ARE

REPRESENTED BY THEIR NEXT FRIEND MOTHER

SUMATHI THE 1ST RESPONDENT

[RESPONDENT
in all the petitions]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.1497 of 2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed in the order dated 11.08.2018 passed in Crl.MP.Nos.623, 624 & 625 of 2018 in MC No.17 of 2013 on the file of Judicial Magistrate No.1, Attur pending disposal of the above CRL.R.C.Nos.1497,1498 & 1499 of 2018

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.No.1497 & 1499 of 2018 on the file of the High Court and upon hearing the arguments of M/S.R.NALLIYAPPAN, Advocate for the petitioner, in all the petitions] and of MR.E.KANNADASAN Advocate on behalf of the Respondents, in all the petitions] the court made the following order:-

The petitioner herein failed to make payment of arrears of maintenance and also monthly interim maintenance to the respondents, as ordered by the Court below and hence, the first respondent/wife filed Crl.M.P.Nos.623, 624 and 625 of 2018 in M.C.No.17 of 2013, before the Judicial Magistrate No.1, Attur, seeking proper direction to the petitioner/husband for payment of arrears of maintenance, in which, the petitioner was sentenced to undergo simple imprisonment for 11 months under Section 125(3) of the Cr.P.C., Challenging the said order, the petitioner filed the above Criminal Revision Cases. Pending revisions, he seeks for suspension of sentence.

2.The learned counsel for the petitioner would submit that during the pendency of the revision cases, the petitioner has paid a sum of Rs.60,000/- (Rupees Sixty Thousand only), by way of cash, to the first respondent/wife. The learned counsel would further submit that in pursuance of execution of the warrant, the petitioner has been incarcerated and now he is in jail and therefore, the learned counsel seeks for suspension of sentence.

3.In view of the submission made by the learned counsel for the petitioner, this Court is inclined to suspend the sentence and enlarge the petitioner on bail. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail on condition that he shall execute a bond for a sum of Rs.10,000/- [Rupees Ten Thousand only], **in each case**, with two sureties each for a like sum to the satisfaction of the learned Metropolitan Magistrate, No.I, Attur, and on further condition that the petitioner shall report before the trial Court once in a month, i.e. on the first working day of every month at 10.30 a.m., pending disposal of the revision cases.

-sd/-
20/12/2018

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 METROPOLITAN MAGISTRATE NO.I
ATTUR

2 THE JUDICIAL MAGISTRATE NO.I,
ATTUR

3 THE CHIEF JUDICIAL MAGISTRATE,
SALEM [FOR INFORMATION]

WEB COPY

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

+2C.C. to M/S.R.NALLIYAPPAN Advocate on payment of necessary
charges SR.NO.24594

Order

in

CRL MP.Nos.17503,17504 & 17507 of 2018

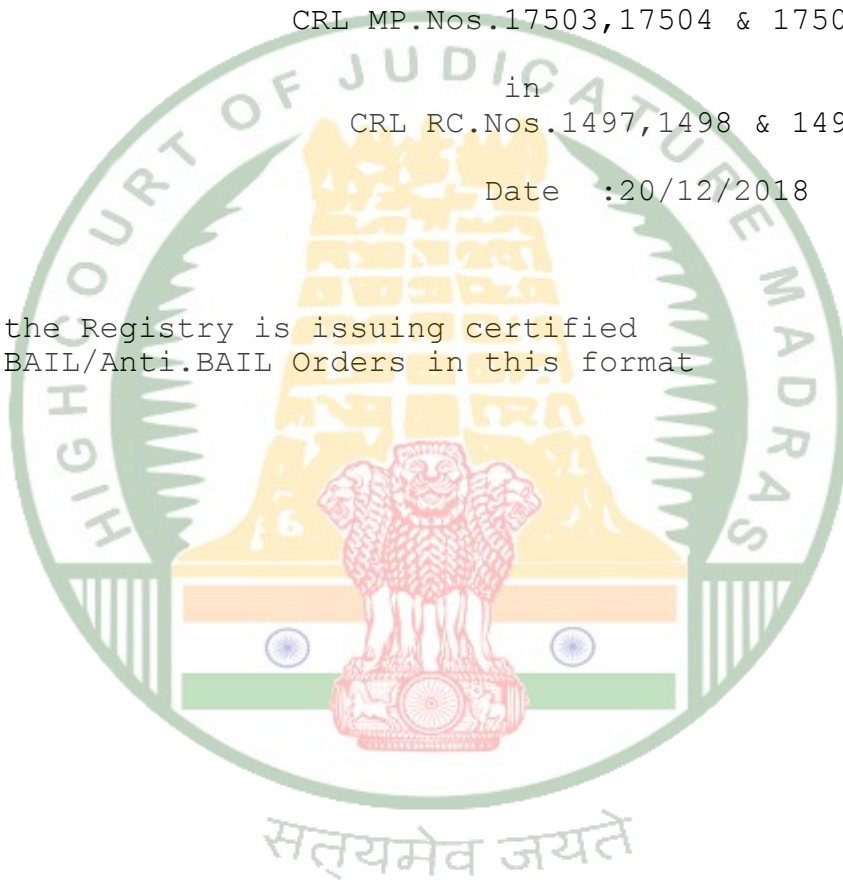
in

CRL RC.Nos.1497,1498 & 1499 of 2018

Date :20/12/2018

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

cm 20/12/2018



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