



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Fifth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP (MD) No.7075 of 2018

IN

CRL A (MD) No.410 of 2018

MR.M.BALU

... APPELLANT/ACCUSED No.1

Vs

THE STATE OF TAMIL NADU,
REPRESENTED BY ITS,
THE INSPECTOR OF POLICE,
FORT (LAW & ORDER) POLICE STATION,
TRICHY, TRICHY DISTRICT,
CRIME NO.18/2014

... RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence and grant bail to the Appellant/Accused No.1 against the Judgement dated 11/08/2018 in SC.No.154/2015 on the file of the Sessions Court, Trichy in Crime No.18/2014 on the file of the respondent police pending disposal of the above Crl.A

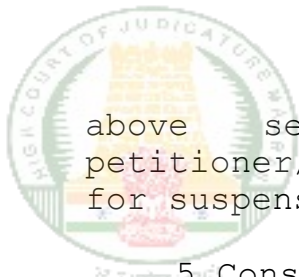
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.T.LAJAPATHI ROY, Advocate for the petitioner and of MR.A.ROBINSON, Government Advocate (Crl.Side) on behalf of the Respondents the court made the following order:-

The learned counsel appearing for the petitioner/appellant is not ready.

2.Perused the grounds of the appeal.

3.The case is arising out of offence under Section 294(b), 506 (i) and Section 3 TNPPDL Act. The trial Court has found both the accused guilty of offence under Section 3 of TNPPDL Act and sentenced to undergo two years simple imprisonment with fine of Rs.1,000/-, in default, to undergo simple imprisonment for further period of six months.

4.The records indicate that the petitioner/appellant herein has caused damage of property worth of Rs.1,00,000/- (Rupees One Lakh only). Hence, having found guilty, the trial Court has imposed the



above sentence and fine. Aggrieved by that, the petitioner/appellant filed appeal and also filed this application for suspension of sentence.

5. Considering the facts of the case, the impugned judgment as well as the grounds raised by the petitioner/appellant, this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner is suspended and the petitioner is directed to be enlarged on bail, on the following conditions:

(i) the petitioner M.Balu, who is the first accused shall deposit a sum of Rs.75,000/- to the credit of S.C.No.154 of 2015 on the file of the learned Sessions Judge, Tiruchirappalli and shall surrender before the Trial Court for getting bail, within a period of two weeks from today.

(ii) The petitioner shall execute 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, Tiruchirappalli and on further condition that the petitioner shall report before the trial Court on the first working day of every English calendar month at 10.30 a.m. until further orders.

sd/-
05/09/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SESSIONS JUDGE, TRICHY
- 2 THE JUDICIAL MAGISTRATE NO.I, TRICHY
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY
- 4 THE INSPECTOR OF POLICE
FORT (LAW & ORDER) POLICE STATION, TRICHY, TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to MR.T.LAJAPATHI ROY, Advocate SR.No.16984

ORDER IN
CRL MP(MD) No.7075 of 2018
IN CRL A(MD) No.410 of 2018
Date :05/09/2018