



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

Friday, the Seventh day of September Two Thousand Eighteen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP (MD) No.7151 of 2018
IN
CRL A (MD) No.415 of 2018

SARAVANAN

... PETITIONER/ APPELLANT

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
FORT (L & O) POLICE STATION,
TIRUCHIRAPPALLI.
IN CRIME NO.18 OF 2014

... RESPONDENT/ RESPONDENT

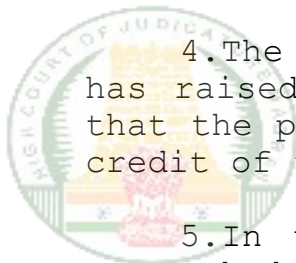
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence of Imprisonment imposed by the learned Principal Sessions Judge, Tiruchirappalli in S.C.NO. 154 of 2015 by the Judgment dated 11.08.2018 and enlarge the petitioner /Accused on bail, pending disposal of the above said Criminal Appeal

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

This petition has been filed to suspend the sentence of imprisonment imposed by the learned Principal Sessions Judge, Tiruchirappalli in S.C.No.154 of 2015 dated 11.08.2018 and enlarge the petitioner / accused on bail pending disposal of the criminal appeal.

2.Heard the learned counsel for the petitioner / appellant and the learned Government Advocate (Crl.Side) for the respondent police.

3.The petitioner is convicted along with other accused for offence under Section 3 of Tamil Nadu Property (Prevention of Damage & Loss) Act and sentenced to undergo 2 years simple imprisonment and to pay a fine of Rs.1,000/- in default to undergo six months simple imprisonment. The damages caused by the accused person over the properties belonging to the defacto complainant, is Rs.1,00,000/-.



4.The learned counsel appearing for the petitioner/appellant has raised certain arguable points in this case. He would submit that the petitioner is ready to deposit a sum of Rs.75,000/- to the credit of this case and therefore prayed to suspend the sentence.

5.In the light of the above fact, this Court is inclined to suspend the substantive sentence of imprisonment pending disposal of the appeal. Accordingly, this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner / appellant alone is suspended and the petitioner / appellant is directed to be enlarged on bail, on the following conditions:

"The petitioner shall deposit a sum of Rs.75,000/- to the credit of S.C.No.154 of 2015 on the file of the learned Principal Sessions Judge, Tiruchirappalli on or before 10.10.2018 and he 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 Judicial Magistrate No.I, Tiruchirappalli and on further condition that the petitioner shall report before the Judicial Magistrate No.I, Tiruchirappalli on the first working day of every English calender month at 10.30 a.m., until further orders."

sd/-

07/09/2018

/ TRUE COPY /

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

TO

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

+1. C.C. to Mr.S.DEENADHAYALAN Advocate SR.No.17137

ORDER IN

CRL MP(MD) No.7151 of 2018

IN

CRL A(MD) No.415 of 2018

Date :07/09/2018