

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty First day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.4465 of 2019

IN CRL RC.1071/2018

BASKAR

[PETITIONER]

vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
R4, PONDYBAZAR TRAFFIC INVESTIGATION UNIT,
PONDY BAZAR POLICE STATION,
CHENNAI.
CR.NO.193/T.N.2/2009.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.1071/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence in passed a judgment in C.A.No.339 of 2017 dated 16.07.2018 by the Honble XVith Additional Sessions Judge, Chennai and confirmed conviction and sentence passed by Learned IV Metropolitan Magistrate, Saidapet, Chennai.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.1071/2018 on the file of the High Court and upon hearing the arguments of M/S.G.ANBUCHEZHEIAN Advocate for the petitioner and of MR.KRITIKAKAMAL.P Government Advocate[crl.side] on behalf of the Respondent the court made the following order:-

The petitioner was convicted in C.C.No.12983 of 2009 on 20.11.2017 by IV Metropolitan Magistrate, Saidapet, Chennai under Sections 279, 337, 338 and 304-A and sentenced to undergo various terms of imprisonment, maximum being 2 years Rigorous imprisonment for the offence under Section 304-A IPC (2 counts). The appeal, Crl.A.No.399 of 2017, filed by the petitioner has been dismissed by XVI Additional Sessions Judge, Chennai on 16.07.2018, pursuant to which, the petitioner was taken into custody on 18.03.2019. Challenging the conviction and sentence, the petitioner has filed the present revision petition and criminal miscellaneous petition seeking suspension of sentence.

2. Heard Mr.G.Anbhuchezheian, learned counsel for the petitioner and Mrs.Kritika Kamal.P, learned Government Advocate for the respondent.

3. The petitioner has raised substantial grounds in the revision petition which require detailed appraisal. Further, the revision petition is not likely to be taken up in the near future. Moreover, the petitioner has been in incarceration from 18.03.2019. In such view of the matter, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence.

4. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is ordered to be released on bail on following conditions:

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of IV Metropolitan Magistrate, Saidapet, Chennai.

(ii) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the IV Metropolitan Magistrate, Saidapet, Chennai, may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(iii) the petitioner shall appear before the trial Court on the first working day of every month until the disposal of the revision petition and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of their absence, as directed by the trial Court.

-sd/-
21/06/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

सत्यमेव जयते

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

WEB COPY

TO

1 THE XVI ADDITIONAL SESSIONS
JUDGE, CHENNAI

2 THE METROPOLITAN MAGISTRATE,
NO.IV, SAIDAPET, CHENNAI

3 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE [FOR INFORMATION]

<https://hcservices.ecourts.gov.in/hcservices/>

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

5 THE INSPECTOR OF POLICE,
R4, PONDYBAZAR TRAFFIC INVESTIGATION UNIT,
PONDY BAZAR POLICE STATION, CHENNAI.

+1 C.C. to M/S.G.ANBUCHEZHIAN Advocate on payment of necessary
charges SR.NO. 12318

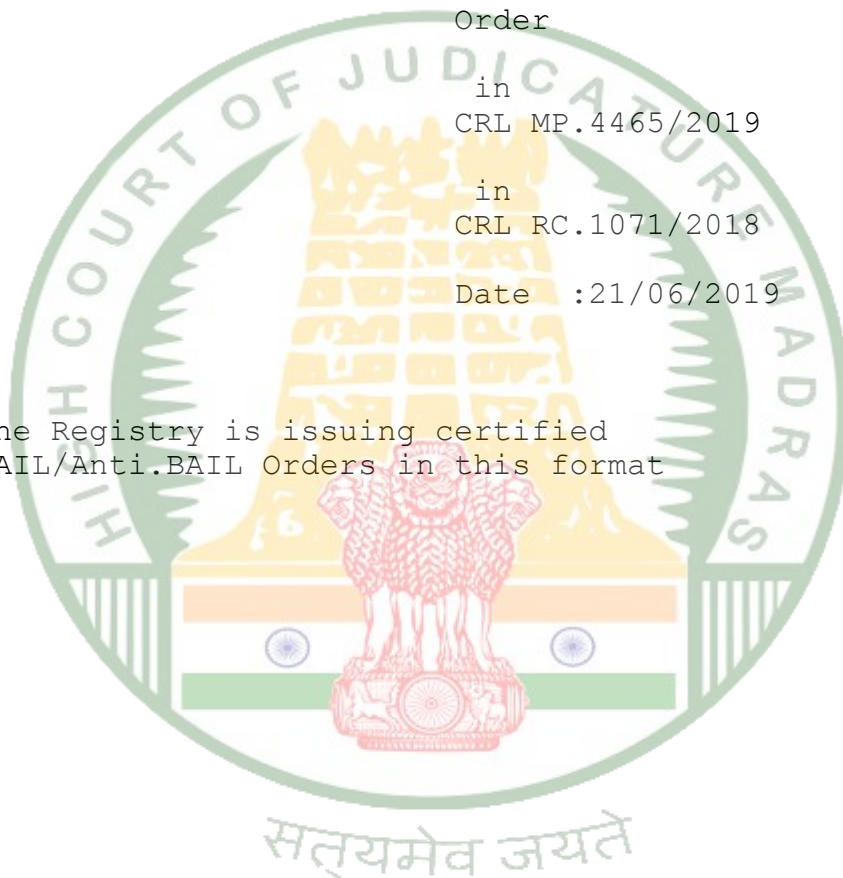
Order

in
CRL MP.4465/2019

in
CRL RC.1071/2018

Date :21/06/2019

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
RD 24/06/2019



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