

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Sixth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.6442 of 2019

IN CRL A.257/2019

A.SANGAMESHWARAN

[PETITIONER]

vs

THE STATE REP BY ITS, [RESPONDENT]
THE ASSISTANT SUPERINTENDENT OF POLICE,
TIRUPPUR NORTH SUB DIVISION,
TIRUPPUR DISTRICT.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No. on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the petitioner in S.C.No.176 of 2015 on the file of the Magalir Neethimandram Fast Track Mahila Court, Tiruppur by the Judgment dated 09.04.2019 and enlarge the petitioner on bail pending disposal of this Criminal Appeal.[CRL.MP.NO.6442/2019]

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

This petitioner is filed seeking to suspend the sentence imposed on the petitioner, by judgment and order dated 09.04.2019 passed in S.C.No.176 of 2015 on the file of the Magalir Neethimandram (Fast Track Mahila Court), Tiruppur.

2. The petitioner, who was an accused in S.C.No.176 of 2015 before the Magalir Neethimandram (Fast Track Mahila Court), Tiruppur, was convicted of the offences under Sections 498-A and 306 IPC and sentenced to undergo various terms of imprisonment, the maximum being ten years of rigorous imprisonment.

3.Challenging the same, the petitioner has filed the above appeal and suspension of sentence and bail.

4.Heard Mr.C.Muthu Saravanan, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (Crl.Side) for the respondent/State.

5. It is the case of the prosecution that the accused had a quarrel with his wife on 16.12.2011 and fractured his arm and was admitted in Sharan Hospital for treatment. On 18.12.2011, the accused was discharged from the hospital and on the same day, his wife committed suicide by hanging in the matrimonial house.

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

7. Accordingly, the relief of suspension of sentence and bail is granted on the 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 the Magalir Neethimandram (Fast Track Mahila Court), Tiruppur.

(ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magalir Neethimandram (Fast Track Mahila Court), Tiruppur, 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 at 10.30 a.m. until the disposal of the appeal 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 his absence, as directed by the Trial Court.

-sd/-

06/08/2019

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
MAGALIR NEETHIMANDRAM [FAST TRACK MAHILA
<https://hcservices.ecourts.gov.in/hcservices/>
COURT] TIRUPPUR

2 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE ASSISTANT SUPERINTENDENT OF POLICE,
TIRUPPUR NORTH SUB DIVISION,
TIRUPPUR DISTRICT.

+1 C.C. to M/S.C.MUTHU SARAVANAN Advocate on payment of
necessary charges SR.NO. 16339

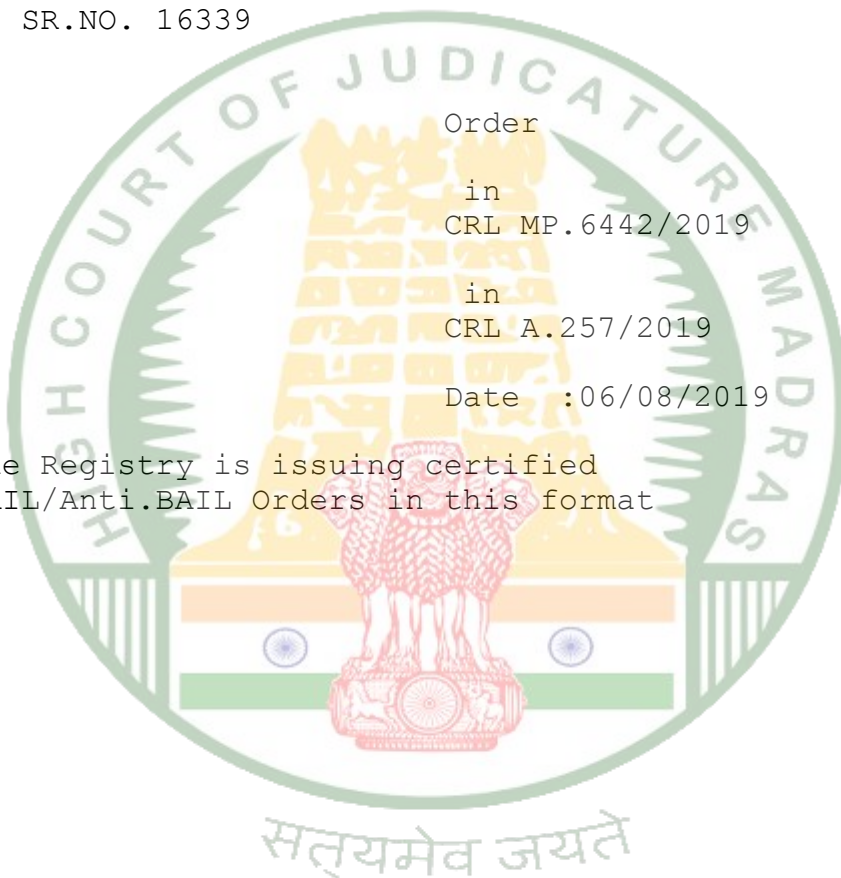
Order

in
CRL MP.6442/2019

in
CRL A.257/2019

Date :06/08/2019

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
RD 08/08/2019



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