

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL MISCELLANEOUS PETITION No.6533 of 2019

IN CRL RC.426/2019

R.RAVANAN

[PETITIONER]

Vs

THE STATE REP.BY

[RESPONDENT]

THE SUB INSPECTOR OF POLICE,
MOONGILDURAIPATTU POLICE STATION,
MOONGILDURAIPATTU.
CR.NO.72 OF 2014.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.426/2019 on the file of the High Court, the High Court will be pleased to suspend the sentence of imprisonment confirmed by learned III Addl.Dist and Session Judge, Kallakurichi in order dated 18.02.2019 in C.A.No.7/2019 by confirming the judgment of the trial court in CC.No.235 of 2014 dated 18.12.2018 on the file of Judicial Magistrate court of sankarapuram and enlarge the petitioner on bail pending disposal of the above criminal Revision Petition.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.426/2019 on the file of the High Court and upon hearing the arguments of M/S.R.MUNIYAPPARAJ Advocate for the petitioner and of MRS.M.PRABHAVATHI ADDL.PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

The Criminal Revision has been filed as against the Judgment passed by the learned III Additional District and Sessions Judge, Kallakurichi made in Crl.A.No.7 of 2019 dated 18.02.2019, confirming the judgment of the learned Judicial Magistrate, Sankarapuram in C.C.No.235 of 2014 dated 18.12.2018, convicting the petitioner for an offence under Section 324 of IPC and to undergo Simple Imprisonment for 12 months and no fine was imposed. Pending appeal, the petitioner has filed the above miscellaneous petition seeking suspension of substantive sentence of imprisonment.

2. The learned counsel for the petitioner submitted that there is material contradiction in the evidence of PW 1 to PW 4. The learned counsel further submitted that the injuries sustained by PW-4 was not caused by the petitioner and it was only due to the previous enmity, PW-1 had given Ex.P-1 to PW-10.

3. The learned Additional Public Prosecutor submitted that the Court below has appreciated the entire evidence and has given elaborate reasons for convicting and sentencing the petitioner.

4. This Court carefully considered the submissions made on either side.

5. Considering the facts and circumstances of the case and in view of the fact that there are arguable points which requires consideration in the revision and the revision cannot be taken up for hearing in the near future, this Court is inclined to suspend the sentence imposed by the Court below.

6. The sentence imposed by the Court below vide Judgment made in C.C No.235 of 2014 dated 18.12.2018 on the file of learned Judicial Magistrate Court, Sankarapuram is hereby suspended, on condition that 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 Judicial Magistrate, Sankarapuram and to pay the find amount imposed by the trial Court and to appear before the learned Judicial Magistrate, Sankarapuram on the first working day of every week at 10.30 a.m., until further orders.

-sd/-

09/05/2019

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.

सत्यमेव जयते

TO

1 THE JUDICIAL MAGISTRATE,
SANKARAPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM[FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

4 THE SUB INSPECTOR OF POLICE,
MOONGILDURAIPATTU POLICE STATION,
MOONGILDURAIPATTU.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE III ADDITIONAL DISTRICT
AND SESSIONS JUDGE,
KALLAKURICHI

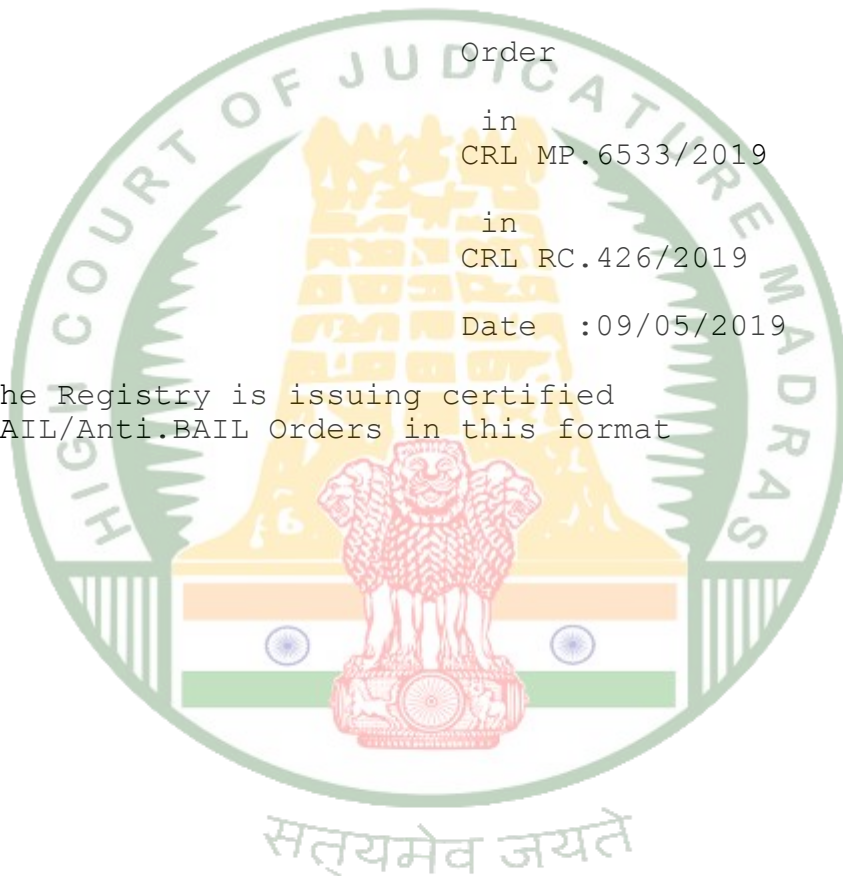
+1 C.C. to M/S.R.MUNIYAPPARAJ Advocate on payment of necessary
charges SR.NO. 9705

Order
in
CRL MP.6533/2019

in
CRL RC.426/2019

Date :09/05/2019

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RD 10/05/2019



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