

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Seventh day of June Two Thousand Nineteen
PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.8311 of 2019

in CRL A.No.385 of 2019

KANDHAN

[APPELLANT / PETITIONER]

Vs

THE INSPECTOR OF POLICE

[RESPONDENT]

B2, ESPLANADE POLICE STATION, L&O),
CHENNAI - 104

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL A.No.385 of 2019 on the file of the High Court, the High Court will be pleased to suspend the sentence of imprisonment passed on the appellant vide judgment and order of conviction dated 03.06.2019 passed in SC No.16/2016 on the file of the XIX Additional Sessions Court at Chennai pending disposal of the instant appeal

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL A.No.385 of 2019 on the file of the High Court and upon hearing the arguments of M/S.GOVIND CHANDRASEKHAR, Advocate for the petitioner, and of M/S.KRITIKA KAMAL .P Government Advocate (Crl.Side) on behalf of the Respondent, the court made the following order:-

This is a petition to suspend the sentence imposed on the petitioner by XIX Additional Sessions Judge, XIX Additional Sessions Court, Chennai, in S.C. No.16 of 2016 on 03.06.2019.

2. The petitioner has been convicted in S.C.No.16 of 2016 on 03.06.2019 by XIX Additional Sessions Judge, XIX Additional Sessions Court, Chennai, for the offences under Sections 333 and 341 IPC and has been sentenced to various terms of imprisonment, maximum being 3 years Rigorous Imprisonment. The Trial Court has suspended the sentence under Section 389(3) Cr.P.C. on 03.06.2019 in C.M.P.No.1 of 2019.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent.

4. 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. In such view of the matter, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence.

5. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is ordered to be released on bail on he executing 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 XIX Additional Sessions Judge, Chennai, within a period of two weeks from the date of receipt of a copy of this order and on further condition that:

(i) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and XIX Additional Sessions Judge, Chennai, may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(ii) The petitioner shall appear before the trial Court on the first working day of every month 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 their absence, as directed by the trial Court.

-sd/-
27/06/2019

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

सत्यमेव जयते
TRUE COPY

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

TO

1 THE XIX ADDITIONAL SESSIONS JUDGE,
CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE
B2, ESPLANADE POLICE STATION, (L&O),
CHENNAI - 104

+1 C.C. to M/S.GOVIND CHANDRASEKHAR Advocate on payment of
necessary charges SR.NO.12855

Order

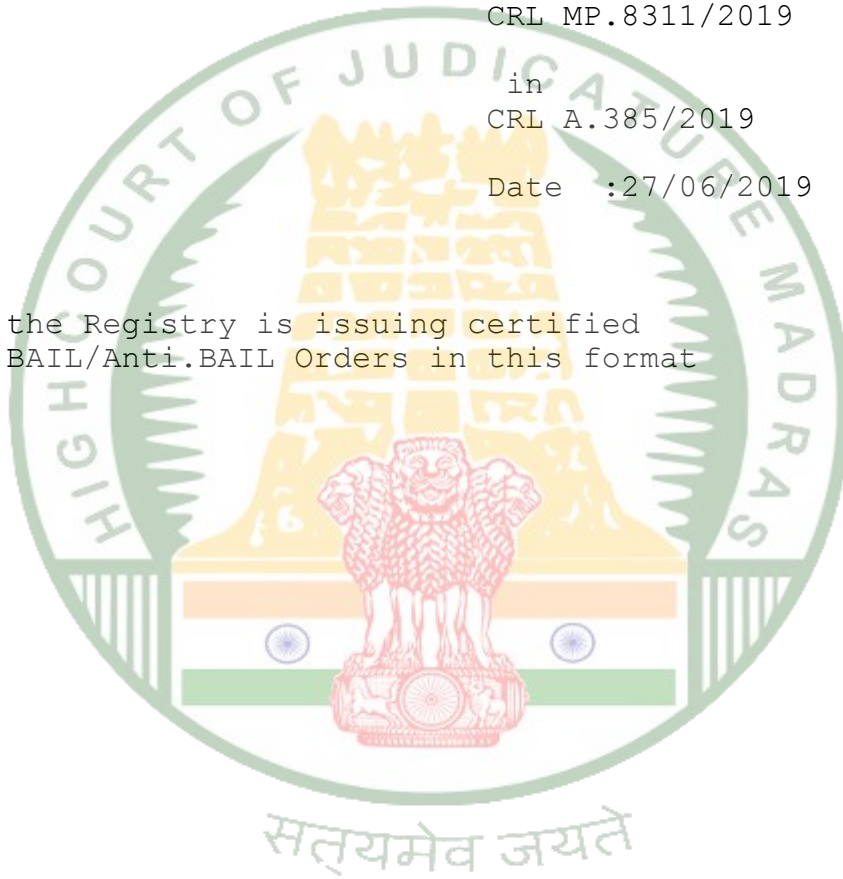
in
CRL MP.8311/2019

in
CRL A.385/2019

Date :27/06/2019

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

cm 02/07/2019



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