

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the First day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.8580 of 2019

in CRL.A.No.296 of 2019

SUBASH CHANDRA BOSE

[PETITIONER / APPELLANT]

vs

STATE REP.BY

[RESPONDENT]

THE INSPCETOR OF POLICE
MUTHUPET POLICE STATION,
TIRUVARUR DISTRICT
CRIME NO.369 OF 2016

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.A.No.296 of 2019 on the file of the High Court, the High Court will be pleased to enlarge the petitioner on bail by suspending the sentence imposed in S.C.No.34 of 2017 dated 24.04.2019 on the file of IV Additional Sessions Court Fast Track Mahila Court), Tiruvarur enlarge on bail pending disposal of CRL.A.No.296 of 2019

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL.A.No.296 of 2019 on the file of the High Court and upon hearing the arguments of MR.MURUGANANTHAM 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 the second petition for suspension of sentence and bail. The first petition filed in Crl.M.P.No.6773 of 2019 was dismissed on 13.06.2019.

2. The petitioner has been convicted in S.C.No.34 of 2017 on 24.04.2019 by the Additional Sessions Judge, (Fast Track Mahila Court), Tiruvarur, for the offence under Section 304-II IPC and has been sentenced to undergo Rigorous Imprisonment for a term of 2 years. Challenging the conviction and sentence, the petitioner has preferred the present Appeal and Crl.MP.No.8580 of 2019 seeking suspension of sentence and bail.

3. Head 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 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 the Judicial Magistrate, Thiruthuraipoondi, and on further condition that:

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Judicial Magistrate, Thiruthuraipoondi, 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 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/-

01/07/2019

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 JUDICIAL MAGISTRATE,
THIRUTHURAIPOONDI

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUVARUR [FOR INFORMATION]

3 THE IV ADDITIONAL SESSIONS JUDGE
(FAST TRACK MAHILA COURT)
TIRUVARUR

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPCETOR OF POLICE
MUTHUPET POLICE STATION,
TIRUVARUR DISTRICT

6 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY

+1 C.C. to M/S.T.MURUGANANTHAM Advocate on payment of necessary
charges SR.NO.13131

Order
in
CRL MP.8580/2019
in
CRL.A.No.296/2019
Date :01/07/2019

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

cm 04/07/2019

सत्यमेव जयते

WEB COPY