

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Second day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.9257 of 2019

IN CRL RC.664/2019

SUBRAMANI

[PETITIONER]

vs

THE STATE REP BY
INSPECTOR OF POLICE,
PAPPARAPATTY POLICE STATION,
DHARMAPURI DISTRICT.
CR.NO.270/2010.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.664/2019 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the Revision Petitioner in C.C.No.73/2011 on the file of the District Munsif cum Judicial Magistrate, Pennagaram by judgment dated 02.08.2018 confirmed by the Learned Principal Sessions Judge, Dharmapuri in C.A.40/2018 on 18.02.2019, pending disposal of the criminal revision. [CRL.MP.NO.9257/2019]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.644/2019 on the file of the High Court and upon hearing the arguments of M/S.VASUDEVAN B.Advocate for the petitioner and of MR.KRITIKA KAMAL.P Government Advocate on behalf of the Respondent the court made the following order:-

The petitioner was convicted in C.C.No.73 of 2011 by the District Munsif-cum-Judicial Magistrate, Pennagaram, on 02.08.2018 for the offences under Sections 279 and 304-A IPC and was sentenced to undergo various terms of imprisonment, maximum being six months Simple Imprisonment. The appeal, in Crl.A.No.40 of 2018 filed by the petitioner has been dismissed by the Principal Sessions Judge, Dharmapuri on 18.02.2019. Challenging the orders passed by the Courts below, the petitioner has filed the present revision petition and Crl.MP.No.9257 of 2019 seeking suspension of sentence and bail.

2. The petitioner has surrendered before the trial Court on 30.07.2019 and is in custody since then. The petitioner has raised substantial grounds in the revision, which require detailed appraisal. Further, the revision 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.

3. 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 the District Munsif-cum-Judicial Magistrate, Pennagaram, and on further condition that:

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the District Munsif-cum-Judicial Magistrate, Pennagaram, 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 revision 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/-

02/08/2019

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, PENNAGARAM

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

4 THE INSPECTOR OF POLICE,
PAPPARAPATTY POLICE STATION,
DHARMAPURI DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S.VASUDEVAN B. Advocate on payment of necessary
charges SR.NO. 16237

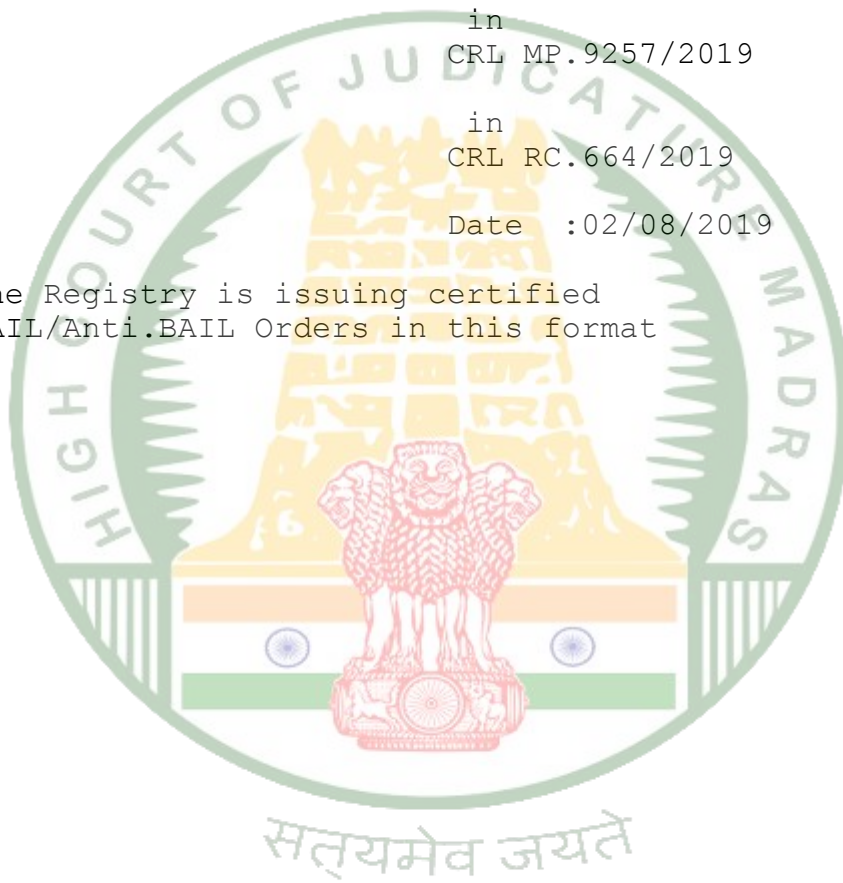
Order

in
CRL MP.9257/2019

in
CRL RC.664/2019

Date :02/08/2019

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RD 06/08/2019



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