

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.9171 of 2019

IN CRL RC.659/2019

1 P.V.RAJAH @ VARADHARAJ [ PETITIONER / APPELLANT / ACCUSED ]

2 V.USHA @ USHARANI

Vs

STATE REP.BY [ RESPONDENT ]  
INSPECTOR OF POLICE,  
CRIME BRANCH CID,  
NAMAKKAL.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.659/2019 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed in Criminal Appeal NO.66/2014 passed by the learned Principal Sessions Judge, Namakkal dated 03.06.2019 confirming the Judgment of the learned Chief Judicial Magistrate, Namakkal in CC.No.65/2010 dated 25.09.2014 and enlarge the Petitioners/Appellants/Accused in bail pending above CRL RC.659/2019 [IN CRL.MP.NO.9171 OF 2019]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.659/2019 on the file of the High Court and upon hearing the arguments of M/S.P.J.RISHIKESH, Advocate for the petitioner and of M/S. KRITIKA KAMAL P, Govt. Advocate ( Crl. Side) on behalf of the Respondent the court made the following order:-

The petitioners were convicted in C.C.No.65 of 2010 by the Chief Judicial Magistrate, Namakkal District, on 25.09.2014 for the offences under Sections 420, 465, 468 and 471 IPC and was sentenced to undergo various terms of imprisonment, maximum being three years Rigorous Imprisonment. The appeal, in Crl.A.No.66 of 2014 filed by the petitioners has been dismissed by the Principal Sessions Judge, Namakkal on 03.06.2019. Challenging the orders passed by the Courts below, the petitioners have filed the present revision petition and Crl.MP.No.9171 of 2019 seeking suspension of sentence and bail.

2. It is reported that the petitioners have surrendered before the trial Court on 17.07.2019 and are in incarceration since then. The petitioners have 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 petitioners are entitled to the relief of suspension of sentence.

3. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioners are ordered to be released on bail on they executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only), each with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Chief Judicial Magistrate, Namakkal, and on further condition that:

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Chief Judicial Magistrate, Namakkal, may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(ii) the petitioners shall appear before the trial Court on the first working day of every month until the disposal of the revision and if they are not able to appear before the trial Court on any day, they 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.

Accordingly, this Criminal Miscellaneous Petition is ordered.

-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.

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TO

1 THE CHIEF JUDICIAL MAGISTRATE  
NAMAKKAL.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE PRINCIPAL SESSIONS  
JUDGE, NAMAKKAL.

4 THE INSPECTOR OF POLICE,  
CRIME BRANCH CID,  
NAMAKKAL.

+1C.C. to M/S.P.J.RISHIKESH Advocate on payment of necessary  
charges SR NO.16099

Order

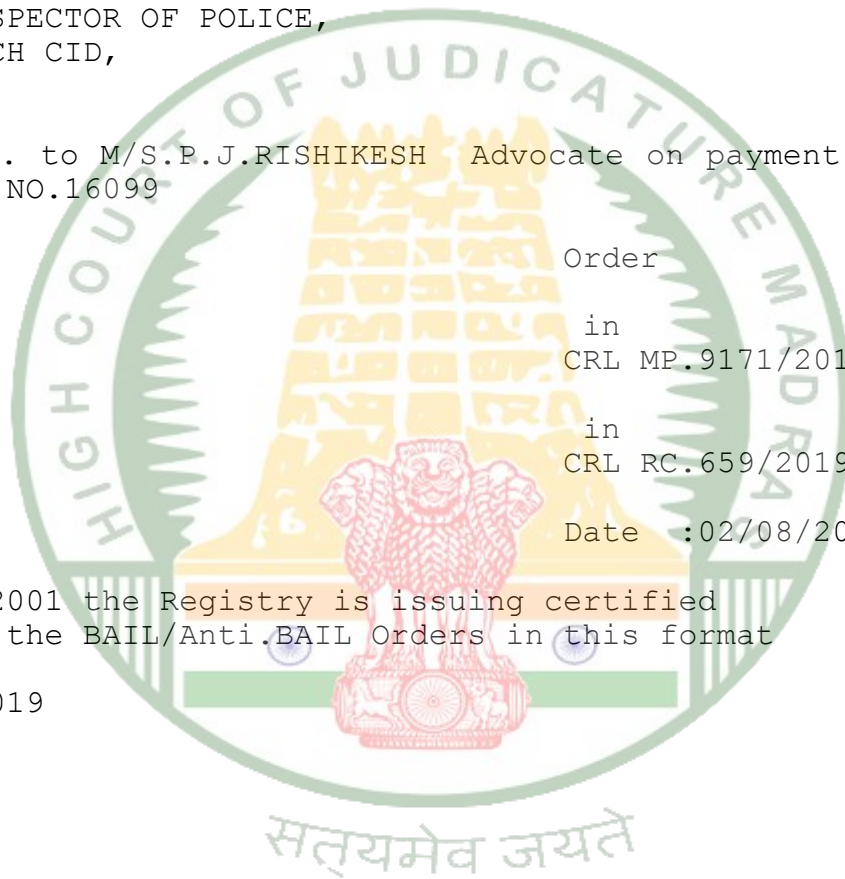
in  
CRL MP.9171/2019

in  
CRL RC.659/2019

Date :02/08/2019

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

MK:06/08/2019



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