

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.10603 of 2019

IN CRL A.588/2018

PANNEER SELVAM

[PETITIONER / APPELLANT / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
AMBUR, VELLORE DISTRICT
(CRIME NO.10/2013).

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL A.588/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed against the petitioner in S.C.No.118/2014 on the file of the Learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Vellore, Vellore District dated 27.03.2018 and enlarge the petitioner on bail pending disposal of the said CRL.A.NO.588 OF 2019 [IN CRL.MP.NO.10603 OF 2019]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL A.588/2018 on the file of the High Court and upon hearing the arguments of M/S. KANNADASAN E., 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 petitioner/A2 was convicted in S.C.No.118 of 2014 by the Sessions Judge, Magalir Neethi Mandram, (Fast Track Mahila Court), Chennai on 27.03.2018 for the offences under Sections 376 r/w 511 of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act and was sentenced to undergo various terms of imprisonment, maximum being four years Rigorous Imprisonment. Challenging the conviction and sentence, the petitioner has filed the present revision petition and Crl.MP.No.10603 of 2019 seeking suspension of sentence and bail.

2. It is seen that the petitioner is in incarceration from 27.03.2018. 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 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 Additional District Magistrate-cum-Judicial Magistrate, Ambur, and on further condition that:

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Additional District Magistrate-cum-Judicial Magistrate, Ambur, 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.

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.

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, AMBUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE SESSIONS JUDGE,
MAGALIR NEETHI MANDRAM [FAST TRACK MAHILA
COURT], VELLORE, VELLORE DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
AMBUR, VELLORE DISTRICT.

+1C.C. to M/S. KANNADASAN E. Advocate on payment of necessary
charges SR NO.16160

Order

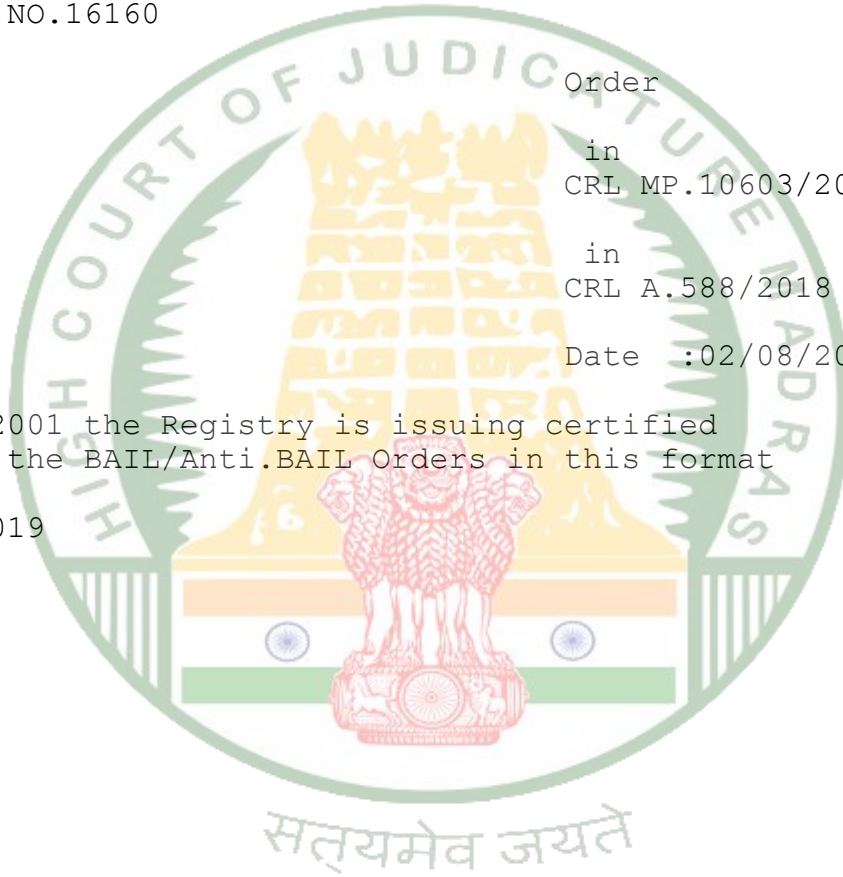
in
CRL MP.10603/2019

in
CRL A.588/2018

Date :02/08/2019

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

MK:07/08/2019



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