

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Second day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION NO.9865 OF 2019

IN CRL.RC.NO.705 OF 2019

E.SARAVANAN

[PETITIONER]

Vs

STATE REP. BY

[RESPONDENT]

THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID, METRO WING,
CHENNAI-600 016.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.RC.NO.705 OF 2019 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the Petitioner by Judgment dated 20.03.2019 made in Crl.Appeal No.165 of 2015 passed by the V Additional Sessions Judge, Chennai whereby confirmed the judgment of conviction passed against the petitioner by the trial court namely XI Metropolitan Magistrate Court, Saidapet, Chennai made in C.C.NO.1918 of 2014 and enlarge the petitioner on bail till the disposal of the above CRL.RC.NO.705 OF 2019 [IN CRL.MP.NO.9865 OF 2019]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL.RC.NO.705 OF 2019 on the file of the High Court and upon hearing the arguments of M/S.SASIKUMAR R., 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:-

This petition is filed seeking to suspend the sentence imposed on the petitioner, by judgment and order dated 23.07.2015 passed in C.C.No.1918 of 2014 on the file of the XI Metropolitan Magistrate Court, Saidapet, Chennai, confirmed by the judgment and order dated 20.03.2019 passed in C.A.No.165 of 2015 on the file of the V Additional Sessions Court, Chennai.

2. The petitioner, who was the first accused in C.C.No.1918 of 2014 before the XI Metropolitan Magistrate Court, Saidapet, Chennai, was convicted of the offences under Sections 465, 471 r/w 468, 420 r/w 34, 467 and 468 IPC and sentenced to undergo various terms of imprisonment, the maximum being three years rigorous imprisonment.

3. The appeal in C.A.No.165 of 2015 filed by the petitioner has been dismissed by the V Additional Sessions Court, Chennai, on 20.03.2019.

4. Challenging the orders passed by the Courts below, the petitioner is before this Court.

5. The petitioner has raised substantial grounds in the revision petition which require detailed appraisal. Further, the revision is not likely to be taken up in the near future. Moreover the petitioner has been in incarceration from 07.06.2019. In such view of the matter, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence and bail.

6. Accordingly, the relief of suspension of sentence and bail is granted on the following conditions:

(i) The petitioner shall execute 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 XI Metropolitan Magistrate Court, Saidapet, Chennai.

(ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the XI Metropolitan Magistrate Court, Saidapet, Chennai, may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(iii) The petitioner shall appear before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the revision petition 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/-

22/08/2019

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 METROPOLITAN MAGISTRATE COURT, NO.XI,
SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE V ADDITIONAL SESSIONS JUDGE COURT,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID, METRO WING,
CHENNAI-600 016.

+1C.C. to M/S.SASIKUMAR R. Advocate on payment of necessary
charges SR NO.17584

Order

in
CRL MP.9865/2019

in
CRL RC.705/2019

Date :22/08/2019

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copies of the BAIL/Anti.BAIL Orders in this format

MK:28/08/2019

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