

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Sixth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.10398 of 2019

IN CRL RC.741/2019

N.SUBRAMANI

[PETITIONER/APPELLANT/ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
CRIME BRANCH CID NAMAKKAL.
(CR.NO.15/99)

[RESPONDENT/COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) 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 on bail pending above Crl.R.C.No.741 of 2019.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.SURESH S., 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 was 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 petitioner has been dismissed by the Principal Sessions Judge, Namakkal on 03.06.2019. Challenging the orders passed by the Courts below, the petitioner has filed the present revision petition and Crl.M.P.No.10398 of 2019 seeking suspension of sentence and bail.

2.It is reported that the petitioner has surrendered before the trial Court on 17.07.2019 and is in incarceration 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 his 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 learned 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 Aadhaar card or Bank pass Book to ensure their identity.

(ii) the petitioner shall appear before the trial Court at 10.30 a.m. on the first working day of every month 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/-

06/08/2019

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 PRINCIPAL SESSIONS JUDGE
NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL.

3 THE INSPECTOR OF POLICE,
CRIME BRANCH CID
NAMAKKAL.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

<https://hcservices.ecourts.gov.in/hcservices/>

WEB COPY

+1 C.C. to M/S.SURESH S. Advocate on payment of necessary charges SR.NO.16392

Order

in
CRL MP.10398/2019

in
CRL RC.741/2019

Date :06/08/2019

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

TA-08/08/2019



WEB COPY