

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Thirteenth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.11134 of 2019

IN CRL A.399/2018

RAVIKUMAR

[PETITIONER]

Vs

STATE BY,
THE INSPECTOR OF POLICE,
MANTHARAKUPPAM POLICE STATION,
CUDDALORE DISTRICT.
CR.NO.348 OF 2013.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Appeal No.399/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence which was imposed by the Learned Mahila Court Sessions Judge, Cuddalore, Cuddalore District in S.C.No.211/2014 dated 19.06.2018 and enlarge him on bail pending in Crl.A.No.399/2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl. Appeal No.399/2018 on the file of the High Court and upon hearing the arguments of M/S.A.ARASU GANESHAN, Advocate for the petitioner and of MR.C.RAMAR Government Advocate on behalf of the Respondent the court made the following order:-

The petitioner has been convicted by the Mahila Court, Cuddalore in S.C.No.211 of 2014 on 19.06.2018 of the offences under Sections 306 and 498-A IPC and has been sentenced to various terms of imprisonment, the maximum being seven years simple imprisonment. Challenging the conviction and sentence, the petitioner has filed the above appeal and seeking suspension of sentence and bail.

2.This is the second petition and earlier petition seeking suspension of sentence has been dismissed by this Court on 06.09.2018. It is the case of the prosecution that the petitioner and his wife quarrelled and in the quarrel, the petitioner is said to have told her that he would divorce her, aggrieved by which, she committed self-immolation. Records also show that the petitioner carried her to the hospital for treatment. The petitioner has raised substantial grounds in the revision, which require detailed appraisal. Taking into consideration the petitioner is in incarceration for more than one year and further, the revision is not likely to be taken up in the near future, this Court is of the view

that the petitioner herein 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 Mahila Court Sessions Judge, Cuddalore and on further condition that:

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Mahila Judge may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity; and

(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 appeal 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/-

13/08/2019

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 MAHILA COURT SESSIONS
JUDGE, CUDDALORE

2 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
MANTHARAKUPPAM POLICE STATION,
CUDDALORE DISTRICT.

+1 C.C. to M/S.A.ARASU GANESHAN Advocate on payment of
necessary charges SR.NO. 16860

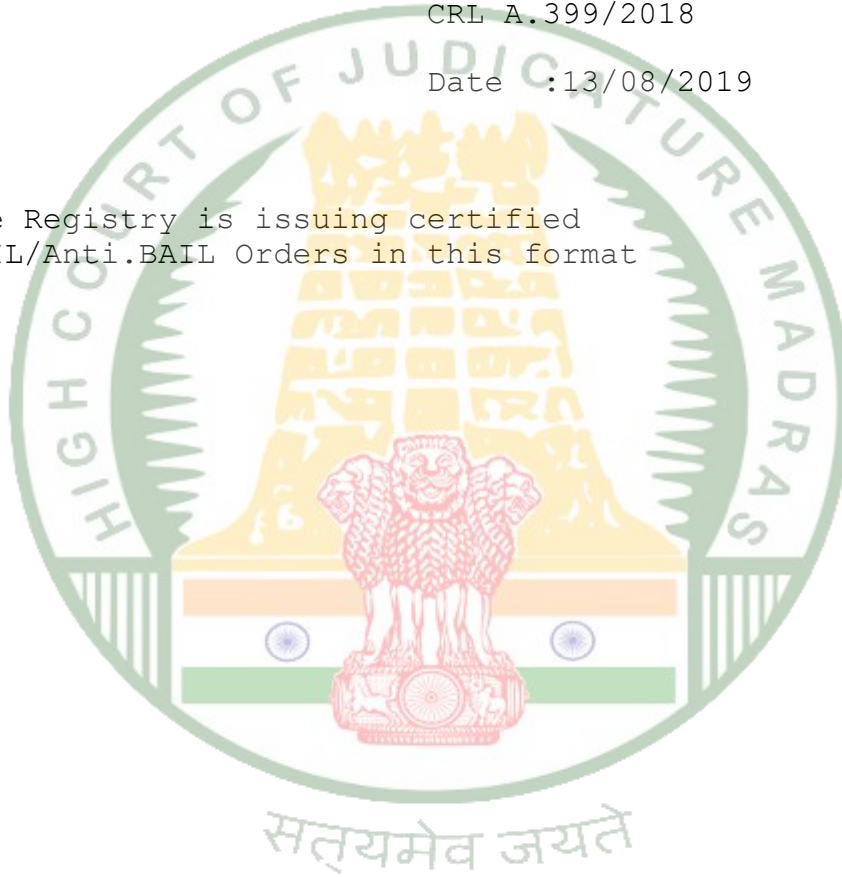
Order

in
CRL MP.11134/2019

in
CRL A.399/2018

Date :13/08/2019

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RD 20/08/2019



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