

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighteenth day of October Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.14791 of 2019

in CRL.A.No.707 of 2019

V.PRAVEENKUMAR

[PETITIONER]

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
ERODE TOWN POLICE STATION,
ERODE DISTRICT.
CR.NO.773/2012.

[RESPONDENT]

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 of imprisonment in the judgment dated in the judgment dated 20.09.2019 made in S.C.No.48/2018 on the file of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Erode and enlarge the petitioner on bail Crl.A.No.707 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.N.MANOHRAN, Advocate for the petitioner, and of M/S.M.MOHAMED RIYAZ, Additional Public Prosecutor, on behalf of the Respondent, the court made the following order:-

- 1.This Criminal Miscellaneous Petition has been filed by the Appellant /Accused, seeking suspension of sentence of imprisonment, imposed by the judgement, dated 20.09.2019, made in S.C.No.48/2018, by the Sessions Judge, Maghalir Neethi Mandram (Fast Track Mahila Court), Erode and enlarge her on bail, pending disposal of the Criminal Appeal.
- 2.This court heard the learned counsel on either side and also perused the materials placed on record.
- 3.In and by the impugned judgement, the Appellant/ accused was convicted for the offence under Section 498(A) of IPC and sentenced to undergo rigorous imprisonment for two years and to pay a fine of Rs.1,000/-, in default, to undergo three months simple imprisonment.

4. The learned counsel for the petitioner would submit that the trial Court has also suspended the sentence of imprisonment till 20.10.2019. According to the learned counsel for the Appellant/accused, there are arguable points available in the Criminal Appeal, which is not likely to be taken for final hearing in the near future and the Appellant/accused has got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentence imposed against the Appellant/Accused may be suspended.
5. The learned Additional Public Prosecutor has raised objections for suspending the sentence.
6. Considering the facts and circumstances of the case and also considering the submissions of the learned counsel on either side, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Appeal, the substantive sentence of imprisonment alone is suspended and the Appellant/accused is ordered to be enlarged on bail, on the following conditions:-

- i. The Appellant/accused shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties, each for a like sum to the satisfaction of the Sessions Judge, Maghalir Neethi Mandram (Fast Track Mahila Court), Erode.

The Appellant/accused shall report before the trial court on the first working day of every English Calendar month at 10.30 a.m., until further orders.

-sd/-
18/10/2019

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 INSPECTOR OF POLICE,
ERODE TOWN POLICE STATION,
ERODE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

3 THE SESSIONS JUDGE MAGALIR NEETHI MANDRAM
(FAST TRACK MAHILA COURT)
ERODE.

C.C. to M/S.N.MANOCHARAN Advocate on payment of necessary
charges

Order

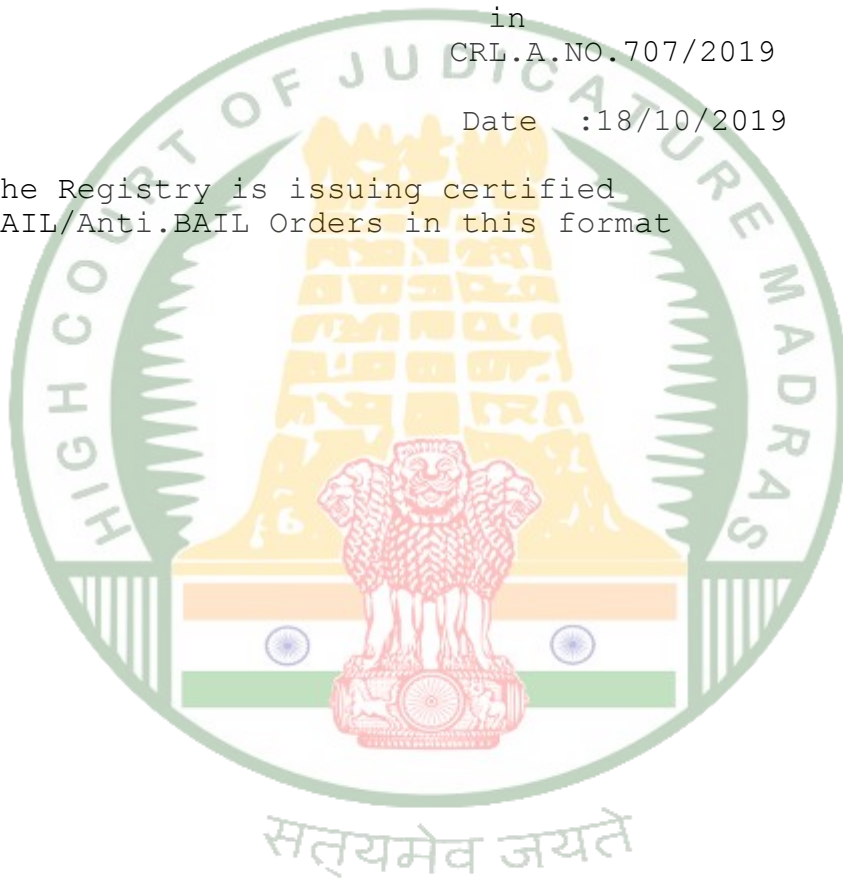
in
CRL MP.14791/2019

in
CRL.A.NO.707/2019

Date :18/10/2019

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

TA-18/10/2019



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