

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twentieth day of November Two Thousand Nineteen

PRESENT

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

CRIMINAL MISCELLANEOUS PETITION No.16141 of 2019

in CRL.RC.NO.1210 OF 2019

T.RAMESH

[PETITIONER]

vs

THE STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
KACHIRAPALAYAM POLICE STATION,
VILLUPURAM DISTRICT,
CRIME NO.277 OF 2012.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.1210/2019 on the file of the High Court, the High Court will be pleased to suspend the sentence of imprisonment imposed in the judgment in C.A.No.26 of 2019 dated 30.08.2019 on the file of the III Additional District Judge, Kallakurichi, confirmed by the Judicial Magistrate No.I, Kallakurichi, dated 12.03.2019 in C.C.NO.30 OF 2014 and enlarge the petitioner on bail pending disposal of the above criminal revision petition.[CRL.MP.NO.16141/2019]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.1210/2019 on the file of the High Court and upon hearing the arguments of M/S.P.RAJAVEL Advocate for the petitioner and of MR.M.MOHAMED RIYAZ, ADDL.PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

This Criminal Miscellaneous Petition has been filed by the petitioner/A-1, seeking suspension of sentence of conviction, imposed by the judgment, dated, 30.08.2019, made in Crl.A.No.26 of 2019, by the III Additional Sessions Judge, Villupuram at Kallakurichi, confirming the order of conviction passed in C.C.No.30 of 2014, dated 12.03.2019, by the Judicial Magistrate No.I, Kallakurichi, pending disposal of the Criminal Revision Case.

2 Heard the learned counsel on either side and also perused the materials placed on record.

3 In and by the impugned judgement of the Lower Appellate Court the petitioner/A-1 was convicted and sentenced for offence under Section 324 of IPC to undergo simple imprisonment for two years

and to pay a fine of Rs.2,000/-, in default, to undergo one simple imprisonment.

4 The learned counsel for the petitioner/A-1 would submit that the petitioner / A-1 has surrendered before the trial Court today and that there are arguable points available in the criminal revision case, which is not likely to be taken for final hearing in the near future and that the petitioner/A-1 has got a fair chance of succeeding in the criminal revision and hence, the substantive sentence imposed against the Petitioner/A-1 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 Revision Case, the substantive sentence of imprisonment alone is suspended and the petitioner/A-1 is ordered to be enlarged on bail, on the following conditions:-

- i. The petitioner/accused shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kallakurichi.
- ii. The Petitioner/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/-

20/11/2019

This order, on being produced, be punctually observed and carried into execution by all concerned सत्यमेव जयते

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

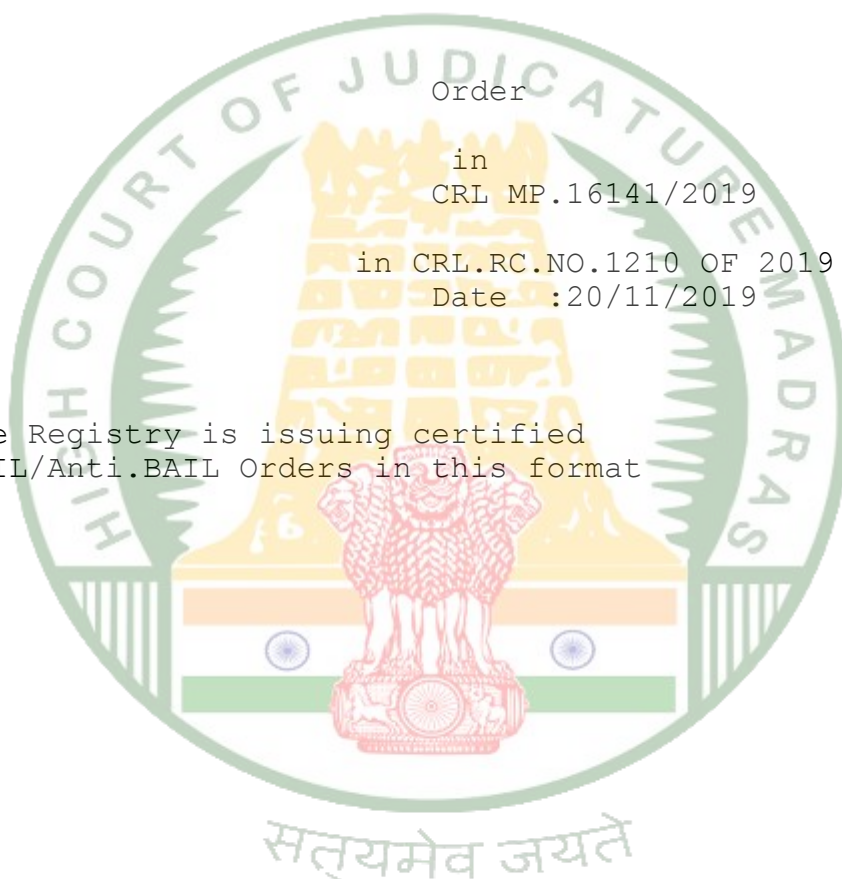
1 THE III ADDITIONAL SESSIONS
JUDGE, VILLUPURAM AT KALLAKURICHI

2 THE JUDICIAL MAGISTRATE,
<https://hcservices.ecourts.gov.in/hcservices/>
NO.1, KALLAKURICHI

3 THE CHIEF JUDICIAL MAGISTRATE
VILLUPUURAM[FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
KACHIRAPALAYAM POLICE STATION,
VILLUPURAM DISTRICT,

+1 C.C. to M/S. P.RAJAVEL Advocate on payment of necessary
charges SR.NO. 23900



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RD 20/11/2019

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