

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 M.M.SUNDRESH

and

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.17049 of 2019

IN CRL.A.NO.796 OF 2019

1 NAGARAJ [PETITIONERS]
2 AANANDH
3 SIVAKUMAR
4 BALU @ ELERICIAN BALU @ BALASUBRAMANIAN,
5 VISWANATHAN
6 BHUVANAGIRI ANANDH @ ANANDHARAJ,
7 MURUGANANTHAM

Vs

1 THE STATE REPRESENTED BY [RESPONDENT]
INSPECTOR OF POLICE,
CUDDALORE O.T. POLICE STATION,
CRIME NO.385/2012

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Appeal No.796/2019 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed in S.C.No. 100 of 2013 dated 19/10/2019 passed by the I Additional District and Sessions Judge in respect of the A.4 and A.1.[CRL.MP.NO.17049/2019]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl. Appeal No.796/2019 on the file of the High Court and upon hearing the arguments of M/S. S.VELMURUGAN, Advocate for the petitioner and of MR.K.PRABAKAR ADDL. PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

(Order of the Court was made by M.M.SUNDRESH,J)

The petitioners have been arrayed as A4 to A10 in S.C.No. 100 of 2013 on the file of I Additional District and Sessions Judge, Cuddalore. The trial Court, by judgment dated 19.10.2019 convicted the petitioners for the offence punishable under Sections 148 and 341 r/w 34 IPC and for the offence punishable under Section 148 IPC sentenced to undergo one year rigorous imprisonment and to pay a fine

of Rs.500/- each, in default, to undergo two weeks simple imprisonment and for the offence punishable under Section 341 r/w 34 IPC sentenced to undergo one month simple imprisonment. Seeking suspension of sentence imposed, the present petition has been filed.

2. Though the petitioners have been convicted for the offence punishable under section 148 IPC and sentenced to undergo rigorous imprisonment for period of one year, the learned counsel appearing for the petitioners submitted that the trial court itself has suspended the sentence till 18.11.2019.

3. Considering the facts and circumstances of the case and the sentence imposed by the trial court for a period of one year, we are inclined to suspend the sentence.

4. Accordingly, the substantive sentence of imprisonment alone is suspended on condition that each of the petitioner executes 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 I Additional District and Sessions Judge, Cuddalore and on further condition that the petitioner shall report before the concerned court on the first working day of every month at 10.30 a.m pending appeal.

-sd/-
20/11/2019

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 I ADDITIONAL DISTRICT AND
SESSIONS JUDGE, CUDDALORE

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATE REPRESENTED BY
INSPECTOR OF POLICE,
CUDDALORE O.T. POLICE STATION,

+1 C.C. to M/S. S.VELMURUGAN Advocate on payment of necessary charges SR.NO. 23905

Order

in
CRL MP.17049/2019

IN CRL.A.NO.796 OF 2019

Date :20/11/2019

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