

Crl.M.P.No.506 of 2020
in
Crl.A.No.26 of 2020

P.N. PRAKASH, J.

This petition has been filed for suspension of sentence imposed on the petitioner, by judgment and order dated 18.12.2019, in S.C.No.41 of 2018 on the file of the Mahila Court, Perambalur.

2.It is seen that the petitioner herein was charged of the offences under Sections 498-A, 304-B and 306 IPC, but was acquitted of the offences under Sections 304-B and 306 IPC by the Sessions Judge, Mahila Court, Perambalur, by judgment and order dated 18.12.2019, in S.C.No.41 of 2018, and was convicted of the offence under Section 498-A IPC and was sentenced to rigorous imprisonment for three years.

3.Challenging the same, the petitioner has filed the above appeal in Crl.A.No.26 of 2020 and this petition seeking suspension of sentence and bail.

4.Heard Mr.K.Selvarangan, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (Crl.Side) for the respondent/State.

5.The learned counsel for the petitioner submitted that the trial Court has suspended the substantive sentence of imprisonment under Section 389 (3) (ii) Cr.P.C., till 31.01.2020, enabling the petitioner to file an appeal before this Court and obtain orders of suspension of sentence and bail under Section 389 (1) Cr.P.C.

6.The petitioner has raised substantial grounds in the appeal in Crl.A.No.26 of 2020, which require detailed appraisal. Further, the appeal 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 and bail.

7.Accordingly, the substantive sentence of imprisonment is suspended and bail is granted on the following conditions:

(i) The petitioner shall surrender before the trial Court within two weeks from the date of receipt of a copy of this order, and on such surrender, the petitioner shall be released on bail, on he 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 Sessions Judge, Mahila Court, Perambalur.

(ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond

and the Sessions Judge, Mahila Court, Perambalur, may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(iii) The petitioner shall appear before the trial Court, on the first working day of every month at 10.30 a.m. until the disposal of this appeal and if he is not able to appear before the said 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.

This Criminal Miscellaneous Petition is ordered accordingly.

30.01.2020

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Note to Registry :

Issue order copy on or before 03.02.2020

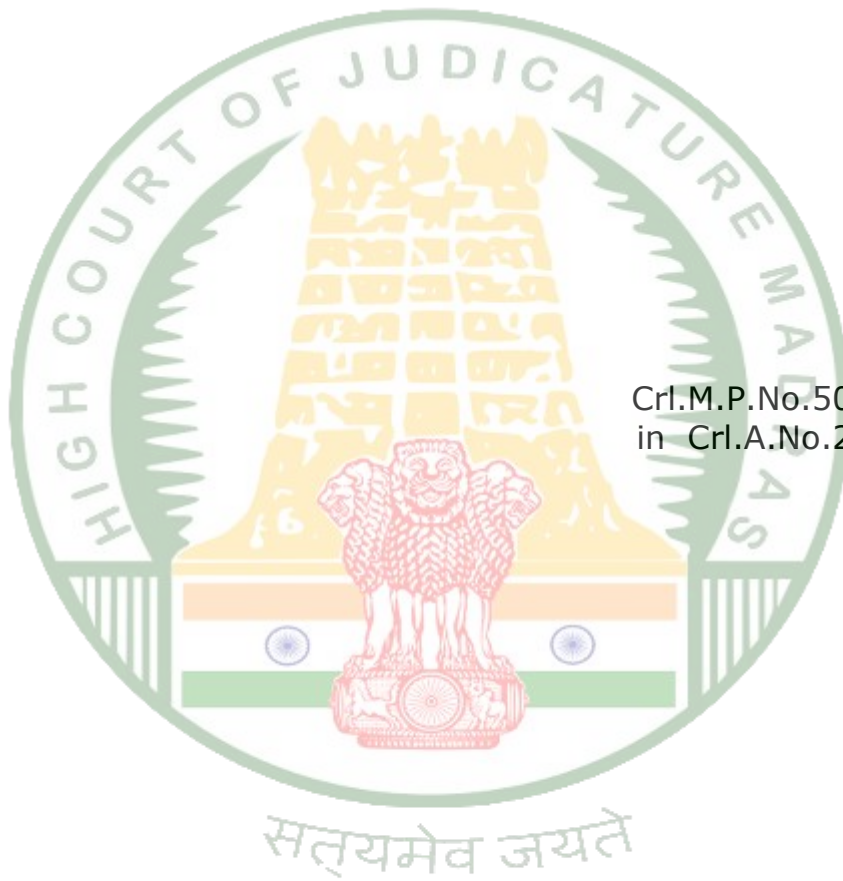
Copy to :

The Sessions Judge,
Mahila Court,
Perambalur.

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