



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Fourteenth day of September Two Thousand Twenty

PRESENT

The Hon'ble Mrs.Justice R.THARANI

CRL MP(MD) No.4113 of 2020
IN
CRL RC(MD) No.466 of 2020

D.S.THANGAPANDIAN

... PETITIONER/PETITIONER

Vs

K.SAKTHIVEL

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to Suspend the sentence imposed on the petitioner by the learned Additional District Munsif Court, Tenkasi, in S.T.C.No.42 of 2016 dated 30.01.2018 confirmed by the learned Additional District and Sessions Judge, (FTC) Tenkasi, dated 08.07.2020 made in C.A.No.25 of 2019 and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition on the file of this Hon'ble Court.

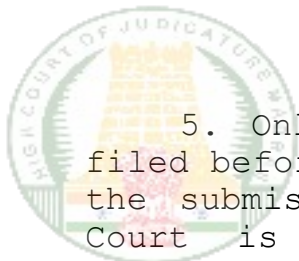
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.G.RADHAKRISHNAN, Advocate for the petitioner and of Mr.P.SURESH KUMAR, Advocate on behalf of the Respondent, while admitting the Criminal Revision Case, the court made the following order:-

The petitioner filed this petition to suspend the sentence imposed on the petitioner by the the Additional District and Sessions Judge, (FTC), Tenkasi, dated 08.07.2020 made in C.A.No.25 of 2019 confirming the sentence imposed by the Additional District Munsif Court, Tenkasi, in S.T.C.No.42 of 2016, dated 30.01.2018 and to suspend the sentence imposed on the petitioner pending disposal of the Criminal Revision.

2. Both sides present.

3. On the side of the petitioner, it is stated that the matter is settled between the parties and a joint compromise agreement was filed by the petitioner and prayed the sentence to be suspended.

4. The respondent has no objection in allowing this petition.



5. Only a Xerox copy of the joint compromise agreement was filed before this court and the original was not filed. Considering the submission made by the learned counsel on either side, this Court is inclined to allow this petition. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is ordered to be released on bail, on his executing own bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for a like sum to the satisfaction of the Additional District Munsif Court, Tenkasi, and on further condition that:

(i) the surety shall affix their photographs and Left Thumb Impression in the surety bond and the learned Trial Judge may obtain a copy of their any valid identity proof to ensure identity.

(ii) the petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the revision 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.

(iii) On release from the prison, the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of S.T.C.No.42 of 2016, before the Additional District Munsif Court, Tenkasi, ; and

(iv) On such deposit, the Additional District Munsif Court, Tenkasi, is directed to deposit the same in a Nationalised Bank, in an auto renewable fixed deposit scheme, so that, the amount and the accrued interest can be disbursed depending upon the outcome of the Criminal Revision Case in CrI. R.C.(MD)No.466 of 2020.

sd/-

14/09/2020

/ TRUE COPY /

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



TO

1. THE ADDITIONAL DISTRICT AND SESSIONS JUDGE (FTC),
TENKASI.

2. DO-THROUGH : THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
TIRUNELVELI DISTRICT.

3. THE ADDITIONAL DISTRICT MUNSIF, TENKASI.

+1 CC to M/s.G.RADHAKRISHNAN, Advocate (SR-6418[I] dated 15/09/2020)

ORDER

IN

CRL MP (MD) No.4113 of 2020

IN

CRL RC (MD) No.466 of 2020

Date :14/09/2020

LS

TE/JC/SAR-I : 15/09/2020 : 3P/5C