

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2021

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.M.P.No.546 of 2021

in

Crl.A.No.29 of 2021

Sheik Altaf

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Parangipettai Police Station,
Cuddalore.

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C. to suspend the sentence imposed by the learned Sessions Judge, Mahila Court, Cuddalore in S.C.No.20 of 2016 dated 23.12.2020 and enlarge the petitioner on bail pending criminal appeal.

For Petitioner : Mr.R.Abdul Mubeen

For Respondent : Mr.R.Suryaprakash
Government Advocate

O R D E R

The petitioner has filed a petition seeking to suspend the sentence and release the petitioner on bail pending disposal of the above Criminal Appeal in C.A.No.29 of 2021 filed against S.C.No.20 of 2016 pending on the file of the Hon'ble Sessions Judge, Mahila Court, Cuddalore.

2. Learned counsel for the petitioner would submit that there are several infirmities and inconsistencies in the prosecution case and there are arguable points in the main criminal appeal.

3. Mr.R.Suryaprakash learned Govt. Advocate takes notice for the respondent and would strongly object the petition and submits that the petitioner was convicted for the offence u/s.324 r/w.Section 34 IPC on two counts and sentenced to undergo two years simple imprisonment and pay a fine of Rs.5000/- in default payment of fine, shall undergo simple imprisonment for a period of six months on each count.

4. Considering the submission made by the learned counsel for the petitioner and also considering the fact that there are arguable points in the appeal and records has to be received from the trial court and typed set has to be prepared for hearing of criminal appeal, this Court is of the view that the petitioner herein may be granted the relief of suspension of sentence.

5. In view of the above, this Court is inclined to grant bail to the petitioner. Accordingly, the substantive sentence of imprisonment alone is suspended till the disposal of the appeal and the petitioner is directed to be enlarged on bail on condition that the petitioner 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 learned Sessions Judge, Mahila Court, Cuddalore. Further, the petitioner is directed to appear before the trial court once in a week i.e., on every Monday at 10.30 a.m. pending appeal.

-sd/-

25/01/2021

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.

**(*) CORRECTED ORDER TO BE SUBSTITUTED FOR
THE ORDER ALREADY DESPATCHED ON 27/01/2021**

TO

1 THE SESSIONS JUDGE,
MAHILA COURT, CUDDALORE

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
PARANGIPETTAI POLICE STATION,
CUDDALORE.

4 THE SECTION OFFICER
CRIMINAL SECTION,
HIGH COURT, MADRAS.

C.C. to M/S. R.ABDUL MUBEEN Advocate on payment of necessary
charges Sr.858

Order
in

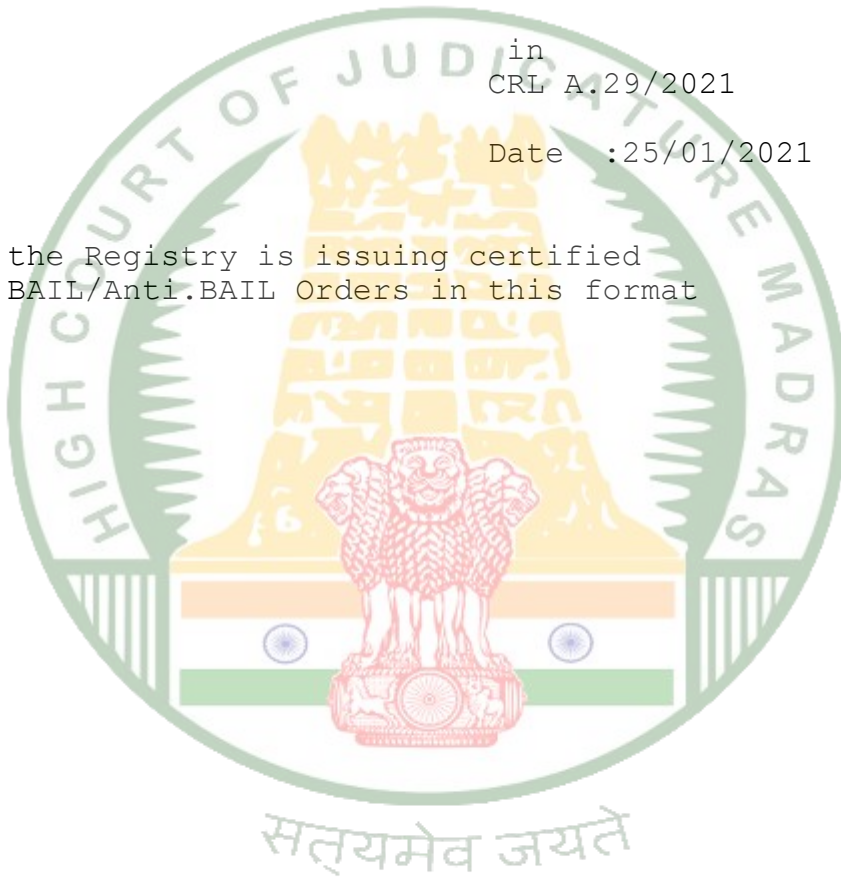
CRL MP.546/2021

in
CRL A.29/2021

Date :25/01/2021

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

RVR 27/01/2021
RVR 02/02/2021



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