

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.05.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.M.P.No.5840 of 2021

in

Crl.A.No.254 of 2021

1.Yogaraj

2.Banumathi

...Petitioners/Appellants

-Vs-

State rep. by

The Inspector of Police,

Teynampet P.S.,

Chennai.

(Cr.No.1795/2014)

...Respondent

Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C. to suspend the sentence of imprisonment and enlarge them on Bail in SC.No.247/2015 on the file of the Sessions Judge, Magalir Neethimandram, Mahila Court, Chennai.

For Petitioners : Mr.T.R.Sivaram

For Respondent : Mr.Charles Premkumar
Government Advocate (Crl.Side)

ORDER

In this case, the petitioners are the accused 1 and 2, who were convicted and sentenced to undergo one year simple imprisonment and a fine of Rs.5,000/- each under Section 498A IPC in default to undergo one month simple imprisonment. The petitioners were also convicted and sentenced to undergo five years simple imprisonment with a fine of Rs.10,000/- each under Section 306 IPC in default to undergo three months simple imprisonment.

2.The learned counsel for the petitioners submitted that the fine amount imposed by the Court below has been paid by the petitioners. He further submits that the evidence has not been properly appreciated and there is a fair chance for the petitioners to be acquitted in appeal.

3. The learned Government Advocate appearing for the respondent submitted that the Court below has appreciated the entire evidence and has given elaborate reasons for convicting and sentencing the petitioners.

4. Taking note of the submissions made by the learned counsel appearing for the petitioners, there are arguable points involved in this case and also the fact that the appeal will not be disposed of in the near future, this Court is inclined to suspend the sentence and enlarge the petitioners on bail.

5. Accordingly, this miscellaneous petition is ordered and the sentence imposed by the Court below vide Judgment made in SC.No.247 of 2015 dated 01.02.2021 on the file of the learned Sessions Judge (Mahila Court), Chennai, is hereby suspended and the petitioners are directed to be enlarged on bail, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai and the petitioners shall appear before the said Court on the first working day of every English Calendar month at 10.30 A.M., until further orders.

-sd/-

12/05/2021

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.

TO

1 XVIII METROPOLITAN MAGISTRATE
SAIDAPET, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
TEYNAMPET POLICE STATION,
CHENNAI.

5 THE SESSIONS JUDGE,
MAHILA COURT, CHENNAI

6 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI

C.C. to M/S. T.R.SIVARAM Advocate on payment of necessary
charges Sr.6134

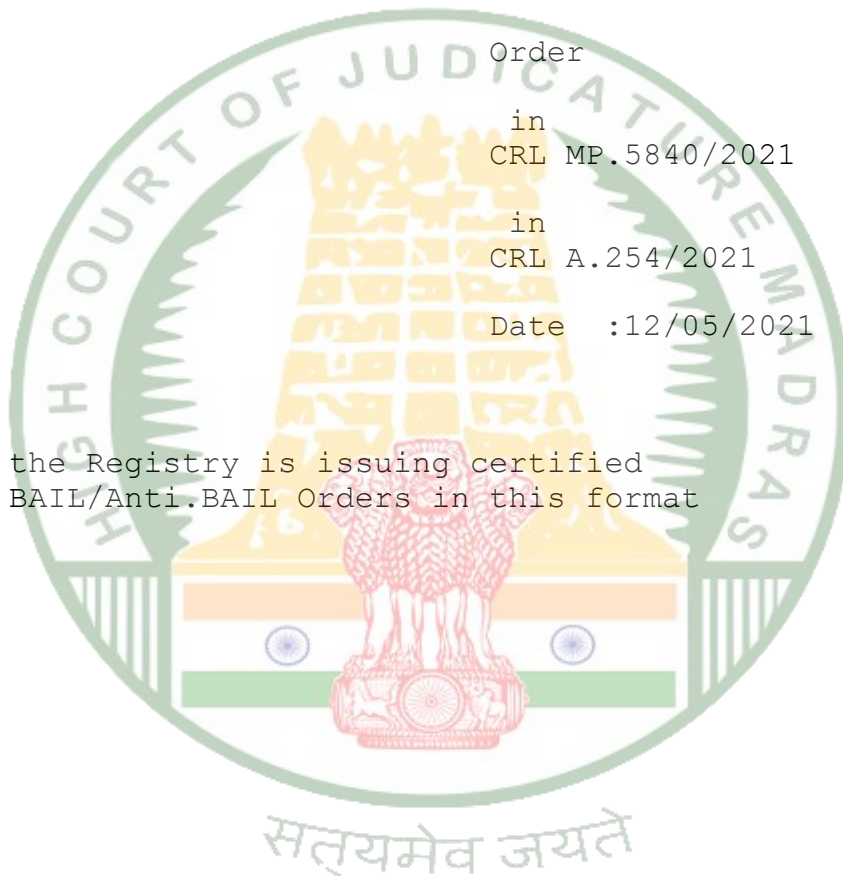
Order
in
CRL MP.5840/2021

in
CRL A.254/2021

Date :12/05/2021

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

RVR 17/05/2021



WEB COPY