



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2021

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.M.P.No.3523 of 2020

in

Crl.A.No.196 of 2020

Sudharsan

... Appellant

Vs

State Represented by
The Inspector of Police,
Baluchettychatram Police Station
Kanchipuram District.
Crime No.46 of 2015

... Respondent

Prayer: The Criminal Miscellaneous Petition is filed under Section 389(1) and 439 of Cr.P.C praying to suspend the execution of the sentence dated 06.02.2020 in S.C.No.62 of 2017 against the petitioner/Appellant/accused by the Hon'ble Additional Sessions Judge (Fast Track Court) Kanchipuram, Kanchipuram District and the Petitioner/Appellant/Accused who is remanded to the judicial custody after judgment to released on bail pending disposal of the above appeal.

For Petitioner : M/S.R.Anbalagan

For Respondent : Mr.J.C.Durairaj
Government Advocate
(Criminal Side)

ORDER

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence imposed on the petitioner in S.C.No.62 of 2017 dated 06.02.2020 by the learned Additional Sessions Judge (Fast Track Court) Kanchipuram, Kanchipuram District and to release the petitioner on bail pending disposal of the above appeal.

2. The respondent police registered the case against the petitioner for the offences under Sections 489A, 489B, 489C and 489D IPC. After investigation, they laid charge sheet before the Judicial Magistrate, Kanchipuram. The learned Magistrate taken the charge



sheet on file in PRC.No.10/2017 and committed the case to the Principal Sessions Judge, Kancheepuram. Since the offences are exclusively triable by the Court of Sessions, the learned Principal Sessions Judge taken the case on file in S.C.No.62/2017 and made over the case to the Additional Sessions Judge (Fast Track Court) Kanchipuram. The learned Additional Sessions Judge, after completion of trial, convicted the petitioner for the charged offences and imposed sentence on him. Challenging the said Judgment of conviction of sentence, the petitioner has filed the present appeal before this Court and he has filed the present miscellaneous petition for suspension of sentence.

3. Learned counsel for the petitioner would submit that all the witnesses in this case have turned hostile and it is impossible to have such a machinery in residence for printing fake currency notes and that the trial Court failed to appreciate the same. He would further submit that there are arguable points in the appeal and therefore, the sentence imposed by the trial Court may be suspended.

4. Heard the learned counsel for the petitioner and perused the materials on record.

5. Though the witnesses in this case have turned hostile, the trial Court found guilt of the accused from the materials and oral and documentary evidence.

6. Therefore, considering the serious nature of offence, this Court is not inclined to suspend the sentence imposed on the petitioner. Accordingly, this Criminal Miscellaneous Petition is dismissed.

-sd/-
22/09/2021

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 THE ADDITIONAL SESSIONS JUDGE, (FAST TRACK COURT)
KANCHIPURAM, KANCHIPURAM DISTRICT.



2 THE INSPECTOR OF POLICE,
BALUCHETTYCHATRAM POLICE STATION,
KANCHIPURAM DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

C.C. to M/S.R.ANBALAGAN Advocate on payment of necessary
charges

Order

in
CRL MP.3523/2020
in

CRL.A.No.196/2020

Date :22/09/2021

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

JPA 27/09/2021