

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifth day of May Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice G.R.SWAMINATHAN

CRIMINAL MISCELLANEOUS PETITION No.5621 of 2021

in

CRL.A.NO.221 OF 2021

ASHOK @ ASHOK KUMAR

[PETITIONER/APPELLANT]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
J4, KOTTURPURAM POLICE STATION,
CHENNAI
CR NO.1329/2012

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to suspend the sentence imposed on the petitioner by the learned Sessions Judge, Mahila Court, Chennai in S.C.No.120 of 2015 dated 12/03/2021 by which the accused/Appellant was convicted and sentenced to undergo rigorous imprisonment for two years and fine of Rs.1,000/- i/d., simple imprisonment for one month for the offence under section 498(A) IPC pending disposal of the above Crl.A.221 OF 2021.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S C.MUNUSAMY Advocate for M/S.V.SUGUNA, Advocate for the petitioner and of MRS.V.SARATHA DEVI, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

The petitioner has been convicted for the offence under Section 498(A) I.P.C. and sentenced to two years Rigorous Imprisonment by the impugned order and judgment dated 12.03.2021 in S.C.No.120 of 2015 on the file of learned IX Metropolitan Magistrate, Saidapet, Chennai.

2.The petitioner got married to the deceased on 27.05.2010 and female child was born. I wanted to know with whom the child is residing, it is said to be with the parents of the deceased. The petitioner through counsel has to give undertaking that from 01.06.2021 he will pay a sum of Rs.2,000/- (Rupees Two Thousand only) for the maintenance of the child.

3.The respondent police is directed to coordinate in this regard and furnish the account details of the person taking care of the child to the petitioner here. The petitioner's undertaking to deposit a sum of Rs.2,000/- per month in the said account is recorded. Subject to undertaking, the sentence imposed by the impugned order is suspended on certain conditions. Accordingly, till the disposal of the Criminal Appeal, the substantive sentence of imprisonment alone is suspended and the Appellant/Accused is ordered to be enlarged on bail, on the following conditions:-

(i)The Appellant/Accused 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, Chennai.

(ii)The Appellant/Accused shall report before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until further orders.

-sd/-

05/05/2021

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 IX METROPOLITAN MAGISTRATE,
SAIDAPET, CHENNAI

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

3 THE INSPECTOR OF POLICE,
J4, KOTTURPURAM POLICE STATION,
CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SESSIONS JUDGE,
MAHILA COURT, CHENNAI

C.C. to M/S.V.SUGUNA Advocate on payment of necessary charges
Sr.5850

Order

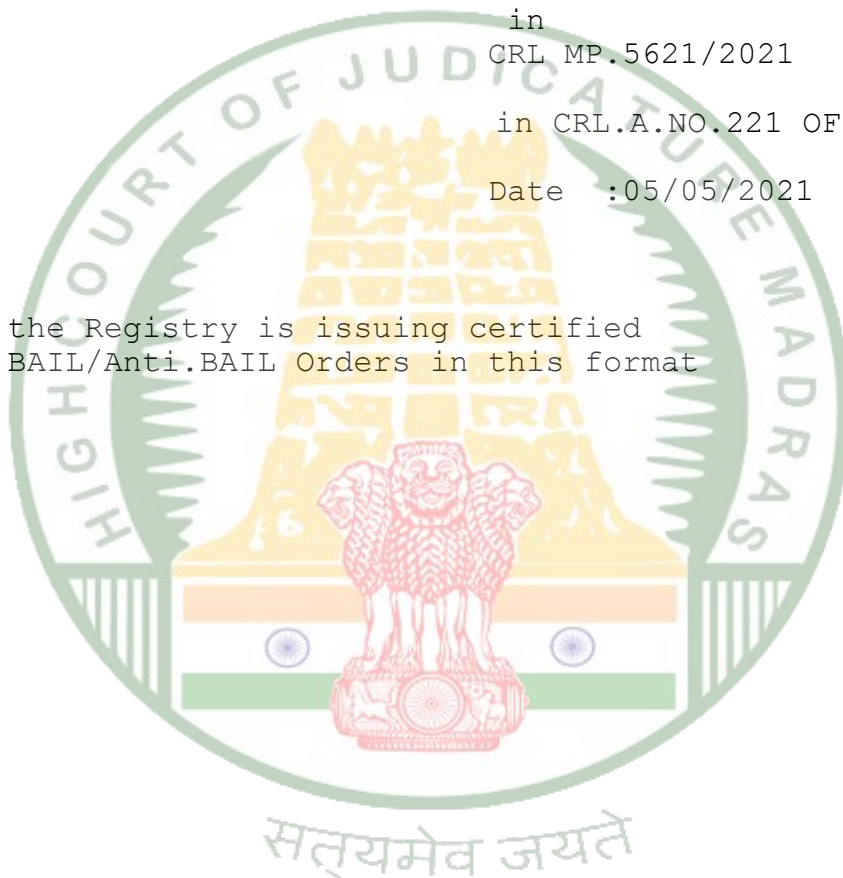
in
CRL MP.5621/2021

in CRL.A.NO.221 OF 2021

Date :05/05/2021

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

RVR 06/05/2021



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