

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.M.P.No.5922 of 2021

in Crl.RC.No.324 of 2021

R.Kamaraj

...Petitioner

-Vs-

M.Velusamy

...Respondent

Criminal Miscellaneous Petition filed under Section 397(1) of Cr.P.C. to suspend the operation of execution of sentence of conviction against the petitioner and the payment of compensation by the petitioner/appellant/accused to the respondent/respondent/complainant, pending disposal of the main criminal revision petition duly taken against the judgment and conviction in Crl.Appeal No.438 of 2019 passed by the learned VI Additional Sessions Court and City Civil Court at Chennai on 19.03.2021 confirming the judgment and conviction dated 27.11.2019 passed by the learned XIX Metropolitan Magistrate, Allikulam, Chennai Corporation Complex, Parktown, Chennai - 600 003 in C.C.No.6433 of 2016.

For Petitioner : Mr.S.Sathish Rajan

ORDER

This criminal miscellaneous petition is filed seeking to suspend the sentence imposed on the petitioner in C.A.No.438 of 2019 passed by the learned VI Additional Sessions Court and City Civil Court at Chennai on 19.03.2021, convicting and sentencing the petitioner to undergo six months simple imprisonment with a compensation of Rs.70,000/- in default to undergo three months imprisonment.

2.The learned counsel for the petitioner submitted that the evidence has not been properly appreciated and there is a fair chance for the petitioner to be acquitted in the revision petition.

3.Taking note of the submissions made by the learned counsel appearing for the petitioner, 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 petitioner on bail.

4. Accordingly, this miscellaneous petition is ordered and the sentence imposed by the Court below vide Judgment made in C.A.No.438 of 2019 on the file of the VI Additional Sessions Court and City Civil Court

at Chennai dated 19.03.2021, is hereby suspended 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 XIX Metropolitan Magistrate, Allikulam, Chennai Corporation Complex, Parktown, Chennai - 600 003, and the petitioner 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/-
13/05/2021

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 THE VI ADDITIONAL SESSIONS COURT
AND CITY CIVIL COURT, CHENNAI.

2 THE XIX METROPOLITAN MAGISTRATE,
ALLIKULAM, CHENNAI CORPORATION COMPLEX,
PARKTOWN, CHENNAI - 600 003

3 THE CHEIF METROPOLITAN MAGISTRATE,
EGMORE [FOR INFORMATION].

C.C. to M/S.S.SATHISH RAJAN Advocate on payment of necessary charges

सत्यमेव जयते Order

in
CRL MP.5922/2021

in
CRL RC.324/2021

Date :13/05/2021

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MN-17/05/2021