

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.05.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

CrI.M.P.No.5742 of 2021

in

CrI.R.C No.290 of 2021

1. R.Stanley Ravi
2. Mrs.Lilian Stanely ... Petitioners

-Vs-

State through
The Inspector of Police,
Central Crime Branch,
Egmore, Chennai
(Crime No.42 of 2005) ... Respondent

Criminal Miscellaneous Petition is filed under Section 397(1) of Cr.P.C. to suspend the sentence imposed by the learned III Metropolitan Magistrate, George Town at Chennai in C.C.No.13972 of 2007 dated 13.07.2016, confirmed by the learned IV Additional Sessions Judge at Chennai in C.A.No.224 of 2021 dated 29.01.2021 and enlarge the petitioners on bail.

For Petitioners : R.Ganesh Kumar

For Respondent : Mrs.V.Sharadha Devi
Government Advocate (CrI. Side)

ORDER

The petitioners were found guilty by both the Courts below for the offences u/s 420, 471 r/w 468 of IPC and were sentenced to undergo One year Rigorous Imprisonment and imposed a fine of Rs.2,000/- for each of the offences, in default to undergo Simple imprisonment for two months. Hence, the petitioners seek suspension of sentence.

2. The learned counsel for the petitioners submitted that the petitioners have availed bank loan for a sum of Rs.20,00,000/-. The learned counsel further states that the petitioners are ready to deposit a sum of Rs.3,00,000/- to the credit of C.C.No.13972 of 2007 on the file of the learned III Metropolitan Magistrate, George Town, Chennai. The petitioners have no objection for the complainant to withdraw the said amount. Of course, this is without prejudice to petitioners' contentions in this revision

3. Having regard to the fact that there are arguable points involved in the revision and further, the revision is not likely to be taken up for final hearing in the near future and also considering the period of incarceration, I am of the considered opinion that the petitioners are entitled for the relief of suspension of sentence.

4. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioners are directed to be enlarged on bail, on condition that :

a) 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 III Metropolitan Magistrate, George Town, Chennai.

b) The petitioners shall jointly deposit a sum of Rs.3,00,000/- to the credit of C.C.No.13972 of 2007 on the file of the learned III Metropolitan Magistrate, George Town, Chennai, within a period of eight weeks from the date of receipt of a copy of this order.

c) 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.

5. Accordingly, this petition is ordered.

-sd/-

06/05/2021

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 METROPOLITAN MAGISTRATE NO.III,
GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE IV ADDITIONAL SESSIONS JUDGE,
CHENNAI.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
EGMORE, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1C.C. to M/S. R.GANESH KUMAR Advocate on payment of
necessary charges SR NO.5973

Order

in
CRL.MP.NO.5742/2021

in
CRL.RC.NO.290/2021

Date :06/05/2021

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

MK:29/06/2021

सत्यमेव जयते

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