

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.05.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.M.P.No.5845 of 2021

in Crl.A.No.255 of 2021

Ravi @ Kanagaraj

...Petitioner

-Vs-

State rep. By

...Respondent

The Deputy Superintendent of Police,
Erode (North Police Station),
Erode.

Crime No.1355/2012

Criminal Miscellaneous Petition filed under Section 397(1) and 439 of Cr.P.C. to suspend the sentence of imprisonment imposed in the judgment dated 09.04.2021 passed in SC.No.23 of 2016, Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Erode and enlarge the petitioner on bail.

For Petitioner : Mr.A.Thiyagarajan

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

ORDER

This criminal miscellaneous petition has been filed against the judgment dated 09.04.2021 passed in SC.NO.23 of 2016 on the file of the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Erode wherein, the petitioner was convicted and sentenced to undergo three years rigorous imprisonment with a fine of Rs.2,00,000/- and in default to undergo three months simple imprisonment for the offences under Section 498 A of IPC.

2.The learned counsel for the petitioner submitted that out of the fine amount imposed by the Court below, the petitioner has paid a sum of Rs.25,000/- on 09.04.2021 itself. He further submits that the evidence has not been properly appreciated and there is a fair chance for the petitioner to be acquitted on 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 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.

5. Accordingly, this miscellaneous petition is ordered and the sentence imposed by the Court below vide Judgment made in SC.No.23 of 2016 dated 09.04.2021 on the file of the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Erode, 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 Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Erode, 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/-

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 THE SESSIONS JUDGE,
MAGALIR NEETHIMANDRAM (FAST TRACK MAHILA COURT),
ERODE.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
ERODE (NORTH POLICE STATION),
ERODE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

C.C. to M/S.A.THIIYAGARAJAN Advocate on payment of necessary charges

Order

in
CRL MP.5845/2021
in
CRL A.255/2021
Date :12/05/2021

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