



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2021

CORAM:

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

Cr1.M.P.No.10676 of 2021

in

Cr1.R.C.No.649 of 2021

Jayakumar

... Petitioner/Petitioner

Vs.

State represented by its
The Inspector of Police,
All Women Police Station (Central)
Coimbatore,
Coimbatore District.
(Crime No.11 of 2011)

... Respondent/Respondent

PRAYER: Criminal Miscellaneous petition has been filed under Section 397(1) of Cr.P.C., praying to suspend the sentence pursuant to the judgment dated 22.06.2020 in C.A.No.388 of 2017 on the file of the IV Additional District and Sessions Court, Coimbatore confirming the order of conviction and sentence dated 23.10.2017 in C.C.No.09 of 2013 on the file of the Judicial Magistrate (Additional Mahila Court) Coimbatore and enlarge on bail.

For Petitioner : Mr.S.N.Arunkumar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed seeking suspension of sentence imposed in the judgment, dated 22.06.2020 in C.A.No.388 of 2017 on the file of the IV Additional District and Sessions Court, Coimbatore confirming the order of conviction and sentence dated 23.10.2017 in C.C.No.09 of 2013 on the file of the Judicial Magistrate (Additional Mahila Court) Coimbatore. The petitioner/petitioner has been convicted and sentenced by the trial Court as follows:



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Provision under which convicted	Sentence
Section 495 of IPC	Two years rigorous imprisonment and to pay fine of Rs.2500/-, in default, to undergo two months simple imprisonment.
Section 498A of IPC	One year rigorous imprisonment and to pay fine of Rs.1500/-, in default, to undergo two months simple imprisonment.
Section 506(i) of IPC	Six months rigorous imprisonment and to pay fine of Rs.500/-, in default, to undergo one months simple imprisonment.

2.Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.

3.Now, since this revision has been filed, the substantive sentence of imprisonment imposed by the learned trial Judge is suspended with the following conditions:

(a) The petitioners shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Judicial Magistrate (Additional Mahila Court), Coimbatore, within fifteen days from the date of receipt of a copy of this order;

(b) While executing the bond, the sureties shall furnish proof of identity and the sureties shall affix their photographs and left thumb impression in the surety bond. The learned Judicial Magistrate shall obtain a copy of their Aadhar card or Voter Identity Card or Driving license or PAN Card or Bank Pass Book with photo affixed and attested by Bank Manager, to ensure their identity to the satisfaction of the Judicial Magistrate (Additional Mahila Court), Coimbatore.

(c) On release on bail the petitioners shall not influence, threaten or coerce the witnesses either during trial;

(d) the petitioners shall not abscond during trial;

(e) the petitioner shall appear on the first working day of every month before the Judicial Magistrate (Additional Mahila Court), Coimbatore, till the disposal of this Criminal Revision by this Court;



(f) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/ Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Judicial Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560].

-sd/-
12/10/2021

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 IV ADDITIONAL DISTRICT AND
SESSIONS COURT, COIMBATORE.

2 THE JUDICIAL MAGISTRATE,
(ADDITIONAL MAHILA COURT), COIMBATORE.

3 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION].

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION (CENTRAL)
COIMBATORE, COIMBATORE DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



+1 C.C. to MR.S.N.ARUNKUMAR Advocate on payment of necessary charges SR.NO.11434

WEB COPY

Order

in
CRL MP.10676/2021

in
CRL RC.649/2021

Date :12/10/2021

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JPA 18/10/2021