



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eighth day of November Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.11284 of 2021

IN

CRL RC.697/2021

KARTHICK @ DILLI KARTHICK

..PETITIONER

Vs

THE STATE

..RESPONDENT

REP BY THE SUB INSPECTOR OF POLICE,
V1, VILLIVAKKAM POLICE STATION,
CHENNAI - 49.
(CRIME NO.442/2010)

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.697/2021 on the file of the High Court, the High Court will be pleased to suspend the sentence dated 01/09/2021 made in Criminal appeal No.76/2013, on the file of X Metropolitan Magistrate, Egmore, Chennai and enlarge the petitioner on bail, pending disposal of the above Crl.RC.No.697/2021.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.697/2021 on the file of the High Court and upon hearing the arguments of M/s A.GOUTHAMAN Advocate for the petitioner and of M/S. RAJ THILAK, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

The Criminal Miscellaneous Petition has been filed by the petitioner, seeking to suspend the sentence dated 01.09.2021 passed in Criminal Appeal No.76 of 2013 on the file of the IV Additional City Civil and Sessions Court, Chennai, confirming the order passed in C.C.No.4901 of 2010 on the file of the X Metropolitan Magistrate, Egmore, Chennai and to enlarge the petitioner on bail, pending disposal of the above Criminal Revision Petition.

2. Learned counsel for the petitioner submitted that the petitioner along with A2 was convicted for the offence under section 379 r/w 201 I.P.C., and sentenced to undergo 6 months Rigorous Imprisonment for the offence under section 379 I.P.C and two months Rigorous Imprisonment for the offence under section 201 I.P.C. On



Appeal, the Appellate Court, acquitted A2 and confirmed the sentence of the petitioner alone. Further, he would submit that the petitioner has got good grounds of appeal and the petitioner is confined in prison from 01.09.2021 onwards and he would pray that suspension of sentence may be ordered.

3. The learned Additional Public Prosecutor would submit that the petitioner and A2 were convicted by the Trial Court, however, on Appeal, the Appellate Court acquitted A2 alone and confirmed the sentence of the petitioner.

4. Considering the facts and circumstances of the case and also considering the submissions of the learned counsel on either side and that the petitioner had undergone the sentence for a period of two months, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Revision, the substantive sentence of imprisonment alone is suspended and the petitioner is ordered to be enlarged on bail, on the following conditions:-

- i. The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties, each for a like sum to the satisfaction of the X Metropolitan Magistrate Court, Egmore, Chennai.
- ii. The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until further orders.

5. This Criminal Miscellaneous Petition stands ordered accordingly.

-sd/-

08/11/2021

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 X METROPOLITAN MAGISTRATE
COURT, EGMORE, CHENNAI-600 008.

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



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 IV ADDITIONAL CITY CIVIL AND
SESSIONS COURT, CHENNAI

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

6 THE SUB INSPECTOR OF POLICE
V1, VILLIVAKKAM POLICE STATION,
CHENNAI-49.

7 THE SECTION OFFICER,
CRIMINAL SECTION,
HIGH COURT, MADRAS.

C.C. To M/S R.RAMESH Advocate on payment of necessary charges

Order

in
CRL MP.11284/2021

in
CRL RC.697/2021

Date :08/11/2021

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

RVR 08/11/2021