



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of December Two Thousand Twenty One

PRESENT

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

CRIMINAL MISCELLANEOUS PETITION No.12739 of 2021

IN CRL.R.C.No.929 of 2021

RAMESHBABU

[PETITIONER]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
APPAKUDAL POLICE STATION,
ERODE DISTRICT.
(CRIME NO.275/2015)

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To Suspend the sentence imposed on the petitioner in judgment made in Crl.A.No.296/2019 passed by the IV Additional District and Sessions Judge, Erode District at Bhavani Confirming ther order dated 26.11.2019 made in C.C.No.193 of 2015 passed by the passed by the Judicial Magistrate No.I, Bhavani, Erode District, pending dispoal of the Crl.R.C.No.929 of 2021.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S S.SENTHILNATHAN, Advocate for the petitioner, and of M/S.S.SUGENDRAN, Govt. Advocate (Crl. Side) on behalf of the Respondent, the court made the following order:-

This Criminal Miscellaneous Petition has been filed by the Petitioner/Accused, seeking suspension of sentence of imprisonment, imposed by the order dated 26.11.2019 passed in C.C.No.193 of 2015 by the learned Judicial Magistrate I, Bhavani, Erode District and confirmed by the judgment dated 30.04.2021 made in Crl.A.No.296 of 2019 by the learned IV Additional District and Sessions Judge, Bhavani, Erode District and release the petitioner on bail.



2. In and by both the impugned judgements, the Petitioner/accused was convicted for the offence under Section 279 and imposed a fine of Rs.750/- in default to under one year S.I. for one week and for the offence under section 304(A) IPC and sentenced to undergo one year S.I. and also to pay a fine of Rs.2,500/- and in default to undergo one week S.I.

3. According to the learned counsel for the Petitioner/accused, there are arguable points available in the Criminal Revision Case, which is not likely to be taken for final hearing in the near future and the Petitioner/accused has got a fair chance of succeeding in the Criminal Revision Case and hence, the sentence imposed against the Petitioner/Accused may be suspended and the Petitioner may be released on bail.

4. Heard the learned counsel for the petitioner and perused the materials on record.

5. Considering the facts and circumstances of the case and also considering the submissions of the learned counsel for the petitioner, this Court is of the view that the sentence of imprisonment can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Revision Case, the reliefs of exemption from surrender before the Trial Court, suspension of sentence and bail are granted, on the following conditions :-

- i. 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 Judicial Magistrate No.1, Bhavani, Erode District.
- 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.

6. The Criminal Miscellaneous Petition is ordered accordingly.

-sd/-
10/12/2021

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 JUDGE, BHAVANI,
ERODE DISTRICT.

2 THE JUDICIAL MAGISTRATE,
NO.1, BHAVANI, ERODE DISTRICT.

3 THE CHIEF JUDICIAL MAGISTRATE
ERODE. [FOR INFORMATION]

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
APPAKUDAL POLICE STATION,
ERODE DISTRICT.

+1 C.C. to M/S S.SENTHILNATHAN Advocate on payment of necessary
charges SR.NO.14536

Order

in
CRL MP.12739/2021
in
CRL RC.929/2021

Date :10/12/2021

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

TA-10/12/2021