



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Fifth day of November Two Thousand Twenty One

PRESENT

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

CRIMINAL MISCELLANEOUS PETITION Nos.11941 & 11942 of 2021

IN CRL.R.C.No.814 of 2021

R.RANJITHKUMAR

[REVISION PETITIONER/APPELLANT/SOLE ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
SIRKAZHI POLICE STATION,
MAYILADUTHURAI DISTRICT
(CRIME NO.314/2013)

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

(i) Suspend the Sentence imposed on the petitioner in pursuant to the judgment dated 29.07.2021 by the learned Additional District and Sessions Judge, Mayiladuthurai in C.A.No.15/2016, by confirming the judgment and conviction and sentence imposed the Learned Judicial Magistrate Court, Sirkazhi in C.C.No.194/2014 dated 26.08.2016 pending disposal of the above Crl.R.C.No.814 of 2021. [IN CRL.M.P.No.11941/2021]

(ii) exempt the petitioner herein from surrender in pursuant to the judgment dated 29.07.2021 by the learned Additional District and Sessions Judge, Mayiladuthurai in C.A.No.15/2016, by confirming the judgment and conviction and sentence imposed the Learned Judicial Magistrate Court, Sirkazhi in C.C.No.194/2014 dated 26.08.2016 pending disposal of the above Crl.R.C.No.814 of 2021. [IN CRL.M.P.No.11942/2021]



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 C.PRABAKARAN, Advocate for the Petitioner and of M/S.S.SUGENDRAN, Government Advocate (Crl.Side) on behalf of the Respondent the court made the following order:-

These Criminal Miscellaneous Petitions have been filed by the Petitioner/Accused, seeking suspension of sentence of imprisonment and e, imposed by the judgment, dated 29.07.2021 passed in C.A.No.15 of 2016, by the learned Additional District and Sessions Judge, Mayiladuthurai, confirming the judgment, dated 26.08.2016, made in C.C.No.194 of 2014, by the learned Judicial Magistrate, Sirkazhi and to exempt the Petitioner/ Accused, from surrendering before the Trial Court, in connection with the conviction and sentence, imposed by the judgment, dated 26.08.2016, made in C.C.No.194 of 2014, by the learned Judicial Magistrate, Sirkazhi, pending disposal of the Criminal Revision Case.

2. In and by both the impugned judgements, the Petitioner/accused was convicted for the offence under Section 294(b) and 324 IPC and sentenced to undergo one month Simple Imprisonment and to pay fine of Rs.500 in default to undergo 2 weeks simple imprisonment for the offence under Section 294(b) IPC and to undergo one month simple imprisonment for the offence under section 324 IPC.

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 exempted from surrendering before the Trial Court.

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, Sirkazhi.



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 Petitions are ordered accordingly.

-sd/-

25/11/2021

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 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE, MAYILADUTHURAI.

2 THE JUDICIAL MAGISTRATE,
SIRKAZHI.

3 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM DISTRICT. [FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
SIRKAZHI POLICE STATION,
MAYILADUTHURAI DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S C.PRABAKARAN Advocate on payment of necessary
charges SR.NO.13470

Order

in

CRL MP.Nos.11941 & 11942/2021

in

CRL.RC.814/2021

Date :25/11/2021

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

RW 25/11/2021