



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of December Two Thousand Twenty One

PRESENT

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

CRIMINAL MISCELLANEOUS PETITION No.12037 of 2021

IN CRL.R.C.No.834 of 2021

1 G.PANDIYAN
2 P.MANOCHARAN

[PETITIONERS/APPELLANTS]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
PUDUPATTINAM POLICE STATION
CRIME NO.208/2003.

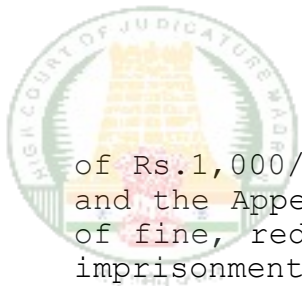
[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order suspending the sentence dated 20.10.2016 made in C.C.No.448 of 2007 on the file of Judicial Magistrate, Sirkali and confined by the order dated 17.12.2020 passed by the learned Additional District Sessions Judge, Mayiladuthurai in Crl.A.No.21 of 2016.

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

This Criminal Miscellaneous Petition has been filed by the Petitioners/Accused, seeking suspension of sentence of imprisonment, imposed by the judgment dated 20.10.2016 passed in C.C.No.448 of 2007 by the learned Judicial Magistrate, Sirkali and confirmed by the judgment dated 17.12.2020 made in Crl.A.No.21 of 2016 by the learned Additional District Sessions Judge, Mayiladuthurai.

2. In and by the judgment of the trial court, the Petitioners/accused were convicted for the offence under Section 408 IPC and sentenced to undergo one year Rigorous Imprisonment and to pay a fine



of Rs.1,000/- and in default to undergo one month simple imprisonment and the Appellate Court, while confirming the conviction and sentence of fine, reduced the sentence of imprisonment to six months rigorous imprisonment against which, the present revision has been filed.

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3. According to the learned counsel for the Petitioners/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 Petitioners/ accused have got a fair chance of succeeding in the Criminal Revision Case and hence, the sentence imposed against the Petitioners/Accused may be suspended and the Petitioners may be enlarged with bail.

4. Heard the learned counsel for the petitioners 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 petitioners, 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, suspension of sentence and bail are granted, on the following conditions :-

i.The petitioners shall execute bonds each 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, Sirkali.

ii.The petitioners 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/-
15/12/2021

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.



1 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE, MAYILADUTHURAI.

2 THE JUDICIAL MAGISTRATE,
SIRKALI.

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

4 THE INSPECTOR OF POLICE,
PUDUPATTINAM POLICE STATION

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

C.C. to M/S. D.BASKAR Advocate on payment of necessary charges

Order
in
CRL MP.12037/2021
in
CRL RC.834/2021

Date :15/12/2021

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

RW 15/12/2021