



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of December Two Thousand Twenty One

PRESENT

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

CRIMINAL MISCELLANEOUS PETITION No.12443 of 2021

IN CRL A.604/2021

1 BOOPATHI
2 AJITH

[PETITIONERS/APPELLANTS]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
B-5, SINGANALLUR POLICE STATION,
COIMBATORE DISTRICT.
(CRIME NO.716/2015)

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.A.NO.604/2021 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the petitioner made in Special Court for Trial of Bomb Blast Cases, Coimbatore made in S.C.No.89/2016 dated 11.11.2021 and enlarge the petitioners on bail pending disposal of the above CRL.A.NO.604/2021 IN CRL.MP.NO.12443/2021.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL.A.NO.604/2021 on the file of the High Court and upon hearing the arguments of MR.M.VINOTH Advocate for the petitioners and of MR.S.SUGENDRAN Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

This Criminal Miscellaneous Petitions has been filed by the Petitioner/Accused, seeking suspension of sentence of imprisonment, imposed by the order dated 11.11.2021 passed in S.C.No.89 of 2016 by the Special Court for Trial of Bomb Blast cases, Coimbatore and to enlarge the petitioners on bail pending disposal of the above criminal appeal.

2. In and by the said order, the Petitioners/ accused were convicted for the offence under Section 294(b), 427 IPC and 3 (1) of the TNPPDL Act and sentenced to undergo one year R.I. And to pay fine of Rs.1000 and in default to undergo three months R.I.



3. Learned counsel for the petitioners would submit that the trial court did not take into consideration the contradiction and inconsistency of the evidence of the witnesses. He would further submit that there are arguable points available in the Criminal appeal, 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 appeal Case and further submit that the trial court has also suspended the sentence till 10.12.2021. Hence, the sentence imposed against the Petitioners/Accused may be suspended.

4. Mr. S. Sugendran, learned Government Advocate (crl side) appearing for the respondent would submit that the trial court after carefully taking into consideration the evidence had convicted the petitioners/accused.

5. Heard the learned counsels on both sides and perused the materials on record.

6. Considering the facts and circumstances of the case and also considering the submissions made, this Court is of the view that the sentence of imprisonment can be suspended on certain conditions. Accordingly, till the disposal of the Criminal appeal Case, the reliefs suspension of sentence and bail are granted, on the following conditions :-

- i. The petitioners 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 Special Court for Trial of Bomb Blast cases, Coimbatore.
- 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/-
08/12/2021

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 SPECIAL COURT FOR TRAIL OF BOMB BLAST CASES,
COIMBATORE DISTRICT.

2 THE INSPECTOR OF POLICE,
B-5, SINGANALLUR POLICE STATION,
COIMBATORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1C.C. to M/S M.VINOTH Advocate on payment of necessary charges
SR.NO.14276

Order
in
CRL MP.12443/2021
in
CRL A.604/2021
Date :08/12/2021

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

CSK 08/12/2021