



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixth day of December Two Thousand Twenty One

PRESENT

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

CRIMINAL MISCELLANEOUS PETITION No.12475 of 2021

IN CRL RC.NO.895 of 2021

P. KANAKARAJ

[PETITIONER/APPELLANT/ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
TIRUPPUR DISTRICT
CRIME NO. 4495/2011

[RESPONDENT/COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to suspend the sentence imposed by the learned I Additional District and Sessions Judge, Tiruppur in C.A.No.103/2017 order dated 03/02/2021 by confirming the learned Judicial Magistrate Court IV, Tiruppur in C.C.No.224 of 2017 dated 13/09/2017 convicting and sentencing the petitioner U/s.279 IPC fine of Rs.1,000/- I/d., 1 week S.I. and U/s. 304(A) IPC six months S.I. and enlare the petitioner on bail pending disposal of the above Crl.R.C.NO.895/2021 and thus render justice.

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.SURESH, 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:-

This Criminal Miscellaneous Petition has been filed by the Petitioner/Accused, seeking suspension of sentence of imprisonment, imposed by the judgment dated 13.09.2017 in C.C.No.224 of 2017 by the learned Judicial Magistrate No.IV, Tiruppur and confirmed by the judgment dated 03.02.2021 in C.A.No.103 of 2017 by the learned I Additional District & Sessions Judge, Tiruppur.



2. In and by both the impugned judgements, the Petitioner/accused was convicted for the offence under Section 279 IPC and sentenced to undergo One week S.I. And to pay fine of Rs.1000/- and also convicted for the offence under Section 304 (A) of IPC and sentenced to undergo six months 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 enlarged 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, 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 IV, Tiruppur.
- 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/-
06/12/2021

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 I ADDITIONAL DISTRICT
AND SESSIONS JUDGE, TIRUPPUR.

2 THE JUDICIAL MAGISTRATE,
NO.IV, TIRUPPUR.

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

4 THE INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
TIRUPPUR DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

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

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

Order

in
CRL MP.12475/2021

in
CRL RC.895/2021

Date :06/12/2021

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

RW 06/12/2021