



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Seventeenth day of December Two Thousand Twenty One

PRESENT

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

CRIMINAL MISCELLANEOUS PETITION No.13198 of 2021

IN CRL RC.989/2021

RAMASAMY

[ PETITIONER ]

Vs

STATE REP BY  
THE SUB INSPECTOR OF POLICE,  
CHEYUR POLICE STATION,  
TIRUPPUR DISTRICT.  
(CR.NO.82 /2009)

[ RESPONDENT ]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.CRL RC.989/2021 on the file of the High Court, the High Court will be pleased to suspend the sentence dated 16.11.2021 imposed on the petitioner by the Learned Principal Sessions Judge, Tiruppur in Crl.A.No.88 of 2019 and further enlarge him on Bail on such terms and conditions that may be imposed on him by this Hon'ble Court and pass such further other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Criminal Revision Case No. CRL RC.989/2021 on the file of the High Court and upon hearing the arguments of MR.N.MANOJKUMAR. Advocate for the Petitioner and of MR.S.SUGENDRAN Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

These Criminal Miscellaneous Petition has been filed by the Petitioner, seeking suspension of sentence of imprisonment, imposed by the judgment dated 02.08.2011 made in C.C.No.100 of 2011 by the learned Magistrate, Avinashi and confirmed by the judgment dated 16.11.2011 in Crl.A.No.88 of 2019 by the learned Principal Sessions Judge, Tiruppur and to enlarge the Petitioner/ Accused on bail pending disposal of the above revision.

2. In and by the judgment of the trial court, the Petitioner/A1 was convicted for the offences under Sections 419 and 420 IPC and sentenced to undergo R.I. for one year each and to pay a fine of Rs.5,000/- each and in default to undergo further S.I. for 3 months each for the offences 419 and 420 IPC and ordered to run the



sentences concurrently and against which, the appeal has been filed and the Appellate Court had confirmed the same against which, the present revision has been filed.

3. Learned counsel for the petitioner would submit that no witness has been examined to prove that the petitioner impersonated his brother and got appointment in the Electricity Board. The witnesses who have been examined by the prosecution have also not spoken about the impersonation being done by the petitioner. He would further submit that the petitioner was in custody for three weeks during investigation and thereafter, he has now been arrested and is in custody. He would further submit that the conviction of the petitioner is for a period of one year. 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 has got a fair chance of succeeding in the Criminal Revision Case and hence, the sentence imposed against the Petitioner 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 and that the revision is not likely to be taken for final hearing in the near future, 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, the reliefs of 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 learned Judicial Magistrate, Avinashi, Tiruppur 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/-

17/12/2021

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 PRINCIPAL SESSIONS JUDGE,  
TIRUPPUR.

2 THE JUDICIAL MAGISTRATE,  
AVINASHI, TIRUPPUR DISTRICT.

3 THE CHIEF JUDICIAL MAGISTRATE  
TIRUPPUR [FOR INFORMATION]

4 THE SUB INSPECTOR OF POLICE,  
CHEYUR POLICE STATION,  
TIRUPPUR DISTRICT.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+2C.C. to M/S. MANOJKUMAR.N Advocate on payment of necessary  
charges SR.NO.15017 + 15016

Order  
in  
CRL MP.13198/2021  
in  
CRL RC.989/2021  
Date :17/12/2021

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

CSK 17/12/2021