



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2022

CORAM:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.6965 of 2022

in

Crl.R.C.No.665 of 2022

Rajiv Gandhi @ Perumal

...Petitioner

Vs.

The State Rep. By
The Inspector of Police,
R-10, MGR Nagar Police Station,
Chennai.
Crime No.917 of 2011)

... Respondent

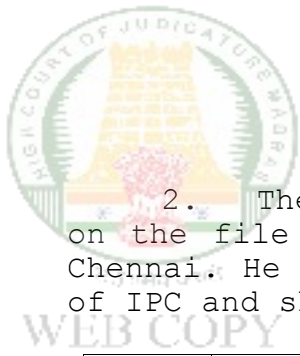
PRAYER: Criminal Miscellaneous Petition filed under Section 397(1) of Cr.P.C to suspend the sentence imposed on the petitioner in Crl.A.No.122 of 2016 dated 28.02.2020, on the file of the learned III Additional Session Judge, Chennai, confirming the conviction and sentence in C.C.No.6179 of 2011 dated 11.04.2016 by the learned XXIII Metropolitan Magistrate, Saidapet, Chennai and enlarged on him beil pending disposal of the above Criminal Revision Case.

For Petitioner : Mr.G.S.Magesh

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner/accused, seeking suspension of sentence imposed by the learned III Additional Sessions Judge, Chennai, in C.A.No.122 of 2016 dated 28.02.2020, by confirming the judgment and sentence passed in C.C.No.6179 of 2011 dated 11.04.2016 by the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, and enlarge the petitioner on bail pending disposal of the above revision petition.



2. The petitioner herein is the accused in C.C.No.6179 of 2011 on the file of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai. He was found guilty of the offence under Section 324 r/w 34 of IPC and she have been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 324 r/w 34 of IPC	to undergo simple imprisonment for a period of six months

Aggrieved against the same, the petitioner had filed appeal in C.A.No.122 of 2016 and the learned III Additional Sessions Judge, Chennai, by order dated 28.02.2020 had dismissed the appeal and confirmed the conviction and sentence, against which the present revision has been filed.

3. Heard the learned counsel appearing on either side and also perused the materials placed on record.

4. Considering the nature of allegation made in this case that the petitioner along with others attacked the defacto complainant arising out of the enmity relating to the parking of car, and the quantum of the sentence imposed i.e., six months simple imprisonment, I am inclined to suspend the sentence alone, pending disposal of this revision case.

5. Accordingly, till the disposal of the Criminal Revision case, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on his executing 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 learned XXIII Metropolitan Magistrate, Saidapet, Chennai.

(b) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

(c) The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the revision petition and if he is not able to appear before the trial Court on any day, she shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.



6. With the above directions, this Criminal Miscellaneous Petition is ordered.

WEB COPY

-sd/-
26/05/2022

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 III ADDITIONAL SESSIONS JUDGE,
CHENNAI.

2 THE METROPOLITAN MAGISTRATE,
NO.XXIII, SAIDAPET, CHENNAI.

3 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI. [FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
R-10 MGR NAGAR POLICE STATION,
CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to Mr.G.S.Magesh Advocate on payment of necessary charges SR.NO. 7917

Order

in
CRL MP.6965/2022
in
Crl.R.C.No.665 of 2022

Date :26/05/2022

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

RW-27/05/2022