



WEB COPY



Crl.M.P.No.11097 of 2022 in Crl.R.C.No.1026 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.11097 of 2022 in
Crl.R.C.No.1026 of 2022

Duraisamy

... Petitioner

Versus

1.State Rep.by
Inspector of Police,
Alandurai Police Station,
Coimbatore.

2.Mrs.Chandra Ganthi

... Respondents

Prayer: Criminal Miscellaneous Petition filed under Section 397 (1) of the Code of Criminal Procedure to suspend the sentence imposed in C.A.No.280 of 2019 dated 23.04.2021 by the IIIrd Additional District Sessions Judge, Coimbatore till the disposal of the revision.

For Petitioner : Mr.C.Balaji Venkateswaran
For Respondents : Mr.S.Vinoth Kumar
Govt. Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner/Accused, to suspend the sentence imposed in C.A.No.280 of 2019, dated 23.04.2021, by the IIIrd Additional District Sessions Judge, Coimbatore, till the disposal of the criminal revision.



2.The learned counsel for the petitioner submits that the petitioner was arrested on 10.03.2022 and has therefore undergone the major part of the sentence imposed by the Trial Court and submitted that he has got a prima facie case.

3. Heard both sides.

4. Considering the period of sentence undergone by the petitioner and considering the sentence imposed by the Lower Court, I am of the view that this is a fit case for grant of suspension of sentence pending the above revision. Therefore, I am inclined to suspend the sentence and grant bail to the petitioner on the following conditions:-

(a) the petitioner is ordered to be released on bail, on his executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the Trial Court;

(b) the petitioner and the sureties shall affix their photographs and left thumb impressions in the surety bonds and the learned Magistrate may obtain a copy of their Aadhar 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 Criminal Appeal and if he is not able to appear before the Trial Court on any



Crl.M.P.No.11097 of 2022 in Crl.R.C.No.1026 of 2022

day, he shall make arrangements to file an application under Section 317 of 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.

5. This Criminal Miscellaneous Petition is ordered accordingly.

01.08.2022
(2/2)

Index : yes/no
Internet: yes/no
Speaking order/Non-speaking order
sli

To

1.The Inspector of Police,
Alandurai Police Station,
Coimbatore.

2.The IIIrd Additional District Sessions Court,
Coimbatore.

3.The Public Prosecutor,
Madras High Court.



WEB COPY



Crl.M.P.No.11097 of 2022 in Crl.R.C.No.1026 of 2022

D.BHARATHA CHAKRAVARTHY. J.,

sli

Crl.M.P.No.11097 of 2022 in
Crl.R.C.No.1026 of 2022
(2/2)

01.08.2022



WEB COPY



Crl.M.P.No.11097 of 2022 in Crl.R.C.No.1026 of 2022

Crl.M.P.No.11097 of 2022

in

Crl.R.C.No.1026 of 2022

D.BHARATHA CHAKRAVARTHY, J.

Registry to include a note by
stating that a copy of the order dated
01.08.2022, in Crl.M.P.No.11097 of
2022 in Crl.R.C.No.1026 of 2022 to be
forwarded to the Superintendent,
Central Prison, Coimbatore and issue a
corrected order copy.

11.08.2022

sli