



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL MISCELLANEOUS PETITION No.3727 of 2022

IN CRL.A.NO.479 of 2021

CHITU @ PRAKASH

[PETITIONER/APPELLANT]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
J-2, ADYAR POLICE STATION,
CHENNAI.

[RESPONDENT/COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To suspend the sentence imposed by the XVIII Additional Sessions Court at Chennai in Sessions Case No.309/2014 on 07/09/2021 and enlarges the petitioner in bail pending disposal of the said Crl.A 479/2021.

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.D.PADMANABHAN, Advocate for the petitioner, and of PUBLIC PROSECUTOR, on behalf of the Respondent, the court made the following order:-

This petition has been filed seeking to suspend the sentence imposed by the trial Court in Sessions Case No.309 of 2014 on the file of the learned XVIII Additional Sessions Court, City Civil Court at Chennai, and to enlarge the petitioner on bail pending disposal of the Criminal Appeal.

2. The petitioner is ranked as A6. This Court already considered the suspension petition filed by A5 and allowed the petition through order dated 29.03.2022. The same yardstick can be followed for this petitioner also and suspension of sentence can be granted by imposing the same conditions.



3. Considering the facts and circumstances of the case, also considering the submissions of the learned counsel for the petitioner and the learned Government Counsel appearing for the respondent police, and also considering the fact that the sentence imposed upon A2 has already been suspended by this Court in CrI.M.P.No.2216 of 2022 dated 03.03.2022, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Appeal, the reliefs of suspension of sentence and bail are granted 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 learned (*) **V Additional Sessions Judge, City Civil Court, Chennai.**
- (b) The petitioner and the sureties shall affix their photographs and left thumb impressions in the surety bonds and the 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 day, he 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.

4. This Criminal Miscellaneous Petition is disposed of accordingly.

-sd/-
19/05/2022

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.



(*) Being mentioned and The petitioners are unable to execute the bond and the sureties, as per order of this Court dated 23/05/2022. Made Crl.M.P.Nos.4676 & 3727 of 2022 in Crl.A.No.479 of 2021.

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TO

(*) THE V ADDITIONAL SESSIONS JUDGE,
CITY CIVIL COURT, CHENNAI.

2 THE XVIII, ADDITIONAL SESSIONS JUDGE,
CITY CIVIL COURT, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
J-2, ADAYAR POLICE STATION (L AND O),
CHENNAI-20.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

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

Order

in
CRL MP.3727/2022
in
CRL A.479/2021

Date :19/05/2022

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