



Crl.M.P.No.5212 of 2022 in Crl.R.C.No.513 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.5212 of 2022
in Crl.R.C.No.513 of 2022

Mohan

... Petitioner

Versus

State represented by,
The Inspector of Police,
Krishnapuram Police Station,
Dharmapuri District.
(Crime No.332 of 2017)

... Respondent

Prayer: Criminal Miscellaneous Petition is filed under Section 389(1) of the Code of Criminal Procedure, pleaded to suspend the sentence imposed by judgment dated 09.08.2021 made in Crl.A.No.05 of 2019 on the file of the Principal Sessions Judge, Dharmapuri and confirmed Judgment made in C.C.No.95 of 2018 dated 10.01.2019 on the file of the Chief Judicial Magistrate, Dharmapuri and enlarge the petitioner on bail till the disposal of the above Criminal Revision.

For Petitioner : Mr.M.Jayachandran

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)



Crl.M.P.No.5212 of 2022 in Crl.R.C.No.513 of 2022

ORDER

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This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by Judgment dated 09.08.2021 made in Crl.A.No.05 of 2019 on the file of the Principal Sessions Judge, Dharmapuri and confirmed the Judgment made in C.C.No.95 of 2018 dated 10.01.2019 on the file of the Chief Judicial Magistrate, Dharmapuri and enlarge the petitioner on bail till the disposal of the above Criminal Revision.

2. Learned counsel appearing on behalf of the petitioner would submit that the petitioner surrendered on 16.08.2022.

3. Considering the nature of the sentence imposed for the offences punishable under Section 304(A) for a period of 2 years, I am of the view that this is a fit case for grant of suspension of sentence pending disposal of the 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



Crl.M.P.No.5212 of 2022 in Crl.R.C.No.513 of 2022

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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 Revision 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 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.

4. This Criminal Miscellaneous Petition is ordered accordingly.

18.08.2022

Index : yes/no

Speaking order/Non-speaking order

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To

3/5



Crl.M.P.No.5212 of 2022 in Crl.R.C.No.513 of 2022

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1. The Principal Sessions Judge,
Dharmapuri.
2. The Superintendent of Police,
Central Prison,
Vellore.
3. The Inspector of Police,
Krishnapuram Police Station,
Dharmapuri District.
4. The Public Prosecutor,
High Court of Madras.

D.BHARATHA CHAKRAVARTHY. J.,



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Crl.M.P.No.5212 of 2022 in Crl.R.C.No.513 of 2022

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Crl.M.P.No.5212 of 2022
in Crl.R.C.No.513 of 2022

18.08.2022