



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.6303 of 2022 in Crl.R.C.No.599 of 2022

Saravanan

... Petitioner

Versus

State by Inspector of Police,
Arani Police Station,
Tiruvallur District.

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 397(1) of the Code of Criminal Procedure to suspend the sentence against the petitioner in Crl.A.No.20 of 2020, dated 07.03.2022 on the file of the learned IV Additional District and Sessions Judge, Ponneri, Tiruvallur District, confirming the sentence imposed by the learned Judicial Magistrate No.I, Ponneri, dated 24.02.2022 in C.C.No.263 of 2014 and enlarge the petitioner on bail on such terms and conditions pending disposal of the above Criminal Revision Petitioner.

For Petitioner : Mr.N.Iyyakannu

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

ORDER

This Criminal Miscellaneous Petition is to suspend the sentence against the petitioner in Crl.A.No.20 of 2020, dated 07.03.2022 on the file of the learned IV Additional District and Sessions Judge, Ponneri, Tiruvallur District, confirming the sentence imposed by the learned Judicial Magistrate No.I, Ponneri, dated 24.02.2022 in C.C.No.263 of 2014 and enlarge the petitioner on bail on such terms and conditions pending disposal of the above Criminal Revision Petitioner.

2. Heard the learned Counsel for the petitioner and learned Government Advocate (Criminal Side) for the respondent.



3. The learned Counsel for the petitioner would submit that the petitioner has surrendered before the learned Judicial Magistrate No.I, Ponneri on 13.06.2022 and produced a copy of the docket order and the petitioner is confined to Central Prison, Puzhal. He would further submit that a careful perusal of the evidence on record would reveal that per se, the conviction was erroneous and therefore, prays for suspension of sentence.

4. The learned Government Advocate (Crl. Side) would submit that the prosecution has proved the offence and already, the Trial Court has taken a lenient view and imposed a sentence of one year and therefore, he would submit that the Trial Court has rightly convicted the petitioner.

5. Considering the submissions made on either side, considering the nature of allegations and sentence imposed on the accused, I am of the view that this is a fit case for suspension of sentence pending the Revision and accordingly, the sentence is suspended 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 Judge 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 Case 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.

-sd/-
15/06/2022

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 IV ADDITIONAL DISTRICT
AND SESSIONS JUDGE, PONNERI,
THIRUVALLUR DISTRICT.

2 THE JUDICIAL MAGISTRATE,
NO.I, PONNERI.

3 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
ARANI POLICE STATION,
TIRUVALLUR DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S.N.IYYAKANNU Advocate on payment of necessary
charges SR.NO. 9137

Order

in
CRL MP.6303/2022
in
Crl.R.C.No.599 of 2022

Date :15/06/2022

From 7.2.2001 the Registry is issuing certified
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RW-15/06/2022