



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.6802 of 2022

IN CRL.A.434/2022

OLAI SARAVANAN @ SARAVANAN

[PETITIONER/APPELLANT]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
J2, ADAYAR POLICE STATION,
CHENNAI-600 040.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.A.434/2022 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the petitioner in Judgment dated 07/09/2021 in S.C.No.309/2014 on the file of Learned XVIII Additional Sessions Judge, Chennai and enlarge the petitioner on bail pending disposal of the CRL.A.434/2022. (CRL.MP.NO.6802/2022)

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL.A.434/2022 on the file of the High Court and upon hearing the arguments of M/S.M.VIJAYA KUMAR Advocate for the petitioner and of MR.LEONARD ARUL JOSEPH SELVAM, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed by learned XVIII Additional Sessions Judge, Chennai in S.C.No.309 of 2014, dated 07.09.2021.

2.The petitioner was arrayed as A4 in S.C.No.309 of 2014 and was convicted by the trial Court by the judgment dated 07.09.2021 and sentenced him to three years for the offence under Section 307 IPC, against which, the present appeal was preferred before this Court.



3. The learned counsel for the petitioner submits that this Court has already suspended the sentence of the accused A5 and A6 and granted bail to them in CrI.M.P.No.3728 of 2022, dated 29.03.2022 and in CrI.M.P.No.3727 of 2022, dated 19.05.2022 respectively. The same yardstick can be followed for this petitioner also and suspension of sentence can be granted by imposing the same conditions.

4. Considering the facts and circumstances of the case, also considering the submissions of the learned counsel for the petitioner and also considering the fact that sentence imposed upon A5 and A6 has already been suspended by this Court, 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 relief 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 IX Metropolitan Magistrate, Saidapet, 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.

5. This Criminal Miscellaneous petition is disposed of accordingly.

-sd/-
25/05/2022

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 XVIII ADDITIONAL SESSIONS JUDGE,
CHENNAI.

2 THE IX METROPOLITAN MAGISTRATE,
SAIDAPET, CHENNAI.

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

4 THE INSPECTOR OF POLICE,
J2, ADAYAR POLICE STATION,
CHENNAI-600 040.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1C.C. to M/S.M.VIJAYA KUMAR Advocate on payment of necessary
charges SR.No.7862

Order
in
CRL MP.6802/2022
in
CRL.A.434/2022
Date :25/05/2022

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

CSK 27/05/2022