



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.7711 of 2022

in Crl.R.C.No.754 of 2022

Murugesan

..Petitioner

Vs.

The State rep. by its
Inspector of Police,
All Women Police Station,
Kottakuppam
(Cr.No. 01/2012).

..Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 397 r/w 401 of the Code of Criminal Procedure to suspend the sentence imposed on the petitioner by judgment dated 23.04.2022 in Crl.A.No. 41 of 2021 by the learned I Additional District and Sessions Judge, Tindivanam and enlarge the petitioner on bail pending disposal of the criminal revision.

For Petitioner : Mr.P.Vijendran

For Respondent : Mr.S.Vinothkumar,
Govt. Advocate (Crl. Side)

ORDER

The above criminal miscellaneous petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 23.04.2022 in Crl.A. No. 41 of 2021 by the learned I Additional District and Sessions Judge, Tindivanam and enlarge the petitioner on bail pending disposal of the criminal revision.

2. According to the learned counsel for the petitioner, even while acquitting the petitioner for the offence under Section 498(A) and 506(ii) IPC, the petitioner has been convicted for the offence under Section 4 of Dowry Prohibition Act and the learned counsel would submit that a perusal of the grounds raised in the revision would demonstrate more prima facie case in respect of the petitioner.



3. The learned Government Advocate (Criminal Side), per contra, would submit that the Trial Court has rightly convicted the petitioner.

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4. I have considered the rival submissions and perused the material records of the case. Upon considering the facts and circumstances of the case, I am of the view that this is a fit case to suspend the sentence pending disposal of the revision.

5. Accordingly, the substantive sentence of imprisonment imposed on the petitioner is hereby suspended and he is enlarged on bail 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 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.

6. This criminal miscellaneous petition is ordered accordingly.

-sd/-
21/06/2022

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 I ADDITIONAL DISTRICT
AND SESSIONS JUDGE, TINDIVANAM.



2 THE JUDICIAL MAGISTRATE,
VANUR.

3 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KOTTAKUPPAM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

7 THE SECTION OFFICER,
CRIMINAL SECTION,
HIGH COURT, MADRAS.

+1 C.C. to M/S.P.VIJENDRAN Advocate on payment of necessary
charges SR.NO.9612

Order

in
CRL MP.7711/2022

in
CRL RC.754/2022

Date :21/06/2022

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TA-24/06/2022