

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.8193 of 2022

in

Crl.A.No.618 of 2022

Karunakaran @ Karnan

... Petitioner

Versus

The State Represented by its;
The Deputy Superintendent of Police,
"Q'' Branch CID,
Chennai.
Crime No.1/2007)

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 389(1) of the Cr.P.C., to suspend the sentence imposed in S.C.No.6 of 2008 on the file of the learned Sessions Judge, Sessions Court, for Exclusive Trial of Bomb Blast Cases Chennai at Poonamallee, Chennai dated 24.05.2022 and enlarge the petitioner on Bail, pending disposal of the above Criminal Appeal.

For Petitioner : Mr.S.Manoharan

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

ORDER

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed in S.C.No.6 of 2008 on the file of the learned Sessions Judge, Sessions Court, for Exclusive Trial of Bomb Blast Cases Chennai at Poonamallee, Chennai dated 24.05.2022 and enlarge the petitioner on Bail, pending disposal of the above Criminal Appeal.

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 trial Court has erroneously convicted the petitioner and he would further submit that he has got prima-facie case and therefore, prays for suspending the sentence.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the trial Court has correctly convicted the petitioner.

5. I have considered the rival submissions made on either side and perused the materials on record.

6. Considering the submissions made on behalf of the petitioner and also the period of sentence namely one year imprisonment imposed by the trial Court and the trial Court itself suspended the sentence imposed on the petitioner, I am of the considered view that this is a fit case for grant of suspension of sentence pending disposal of the above appeal. Therefore, I am inclined to suspend the sentence, pending disposal of the main Criminal Appeal 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 left thumb impressions in the surety bonds and the learned Magistrate may obtain a copy of his 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, 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.

7. This Criminal Miscellaneous Petition is ordered accordingly.

-sd/-

28/06/2022

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 SESSIONS JUDGE
SESSIONS COURT FOR EXCLUSIVE TRIAL OF BOMB BLAST CASES,
CHENNAI AT POONAMALLEE, CHENNAI.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
Q BRANCH CID, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

+1C.C. to M/S S.MANOCHARAN Advocate on payment of necessary
charges SR.No.10147

Order
in
CRL MP.8193/2022
in
CRL A.618/2022
Date :28/06/2022

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CSK 29/06/2022