



WEB COPY



Crl.M.P.No.10955 of 2022 in Crl.R.C.No.633 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.10955 of 2022

in

Crl.R.C.No.633 of 2022

Sri Ganesh

S/o. Lakshmi narayanan,

... Petitioner

Versus

State represented by
the Inspector of Police,
Railway Police Station,
Coimbatore,
Crime No.141/2018.

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 389(1) of the Code of Criminal Procedure to suspend the sentence of imprisonment imposed on the petitionr to undergo Rigorous imprisonment for a period of 2 years and to pay a sum of Rs.10,000/- as fine and in default to pay fine amount to undergo 4 months simple imprisonment for an alleged offence under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in the Judgement dated 12.04.2022 made in Crl.A.No.325 of 2019 on the file of learned IV Additional District and Sessions Judge Coimbatore confirming the conviction made in the judgement dated 12.4.2022 in



Crl.M.P.No.10955 of 2022 in Crl.R.C.No.633 of 2022

C.C.No. 247 of 2019 on the file of the learned Judicial Magistrate No.VI Coimbatore and enlarge the petitioner on bail pending disposal of the above criminal revision petition.

For Petitioner : Mr.D.R.Arun Kumar
For Respondent : S.Vinothkumar
Government Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition is to suspend the sentence imposed on the petitioner by the judgment, dated 12.04.2022, in Crl.A.No.325 of 2019, on the file of the IV Additional District and Sessions Judge, Coimbatore confirming the conviction made in the judgment dated 30.09.2019, in C.C.No. 247 of 2019, on the file of the Judicial Magistrate No.VI Coimbatore and enlarge the petitioner on bail pending disposal of the above criminal revision petition.

2.It is represented by the learned counsel for the petitioner that the petitioner has surrendered on 05.07.2022.

3.Heard both sides.



Crl.M.P.No.10955 of 2022 in Crl.R.C.No.633 of 2022

WEB COPY

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

5. Considering the period of sentence, that is, two years and the nature of allegations in this case, I am of the view that this is a fit case for grant of suspension of sentence pending the above 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 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



Crl.M.P.No.10955 of 2022 in Crl.R.C.No.633 of 2022

WEB COPY

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.

27.07.2022

Index : yes/no

Speaking order/Non-speaking order

sli

To

- 1.The he Inspector of Police,
Railway Police Station,
Coimbatore.
- 2.The Public Prosecutor, High Court of Madras.
- 3.The Superintendent of Police, Central Prison, Coimbatore.
- 4.The IV Additional District and Sessions Court, Coimbatore.
5. The Judicial Magistrate No.VI, Coimbatore.



WEB COPY



Crl.M.P.No.10955 of 2022 in Crl.R.C.No.633 of 2022

D.BHARATHA CHAKRAVARTHY. J.,

sli

Crl.M.P.No.10955 of 2022
in
Crl.R.C.No.633 of 2022

27.07.2022