



Crl.M.P.No.13016 of 2022 in Crl.R.C.No.1177 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.13016 of 2022

in

Crl.R.C.No.1177 of 2022

Jothibasu

... Petitioner

Versus

State represented by,
The Sub-Inspector of Police,
Thirukkuvalai Police Station,
Nagapattinam District.
Crime No.190 of 2015.

... Respondent

Prayer: Criminal Miscellaneous Petition is filed under Section 397(1) of the Code of Criminal Procedure, pleaded to suspend the sentence imposed by the Principal Sessions Court, Nagapattinam in C.A.No.38 of 2019 dated 26.07.2022 confirming the Judgment passed by the learned Judicial Magistrate No.2, Nagapattinam in C.C.No.15 of 2016 dated 07.06.2019 and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.



Crl.M.P.No.13016 of 2022 in Crl.R.C.No.1177 of 2022

WEB COPY

For Petitioner : Mr.C.Munusamy
For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the Principal Sessions Court, Nagapattinam in C.A.No.38 of 2019 dated 26.07.2022 confirming the Judgment passed by the learned Judicial Magistrate No.2, Nagapattinam in C.C.No.15 of 2016 dated 07.06.2019 and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

2. Learned counsel for the petitioner now represents that the petitioner had surrendered before the trial Court on 30.08.2022.

3. Considering the grounds raised in the Revision for the purpose of *prima facie* case and considering the nature of the sentence imposed on the petitioner, I am of the view that this is a fit case for suspension of sentence



Crl.M.P.No.13016 of 2022 in Crl.R.C.No.1177 of 2022

pending the Revision and enlarge the petitioner on bail. 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 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.



Crl.M.P.No.13016 of 2022 in Crl.R.C.No.1177 of 2022

WEB COPY

4. This Criminal Miscellaneous Petition is ordered accordingly.

01.09.2022

Index : yes/no

Speaking order/Non-speaking order

rgi

To

1. The Principal Sessions Court,
Nagapattinam.
2. The Judicial Magistrate No.2,
Nagapattinam.
3. The Sub-Inspector of Police,
Thirukkuvalai Police Station,
Nagapattinam District.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.M.P.No.13016 of 2022 in Crl.R.C.No.1177 of 2022

D.BHARATHA CHAKRAVARTHY. J.,

rgi

Crl.M.P.No.13016 of 2022
in Crl.R.C.No.1177 of 2022

01.09.2022