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*Crl.M.P.No.13526 of 2022 in Crl.R.C.No.1243 of 2022*

**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.13526 of 2022 in Crl.R.C.No.1243 of 2022*

Kamaraj, Male, aged 41,  
Son of Pakkirisamy

**... Petitioner**

**-Versus-**

State Rep. By  
Inspector of Police,  
Thiruvarur Police Station,  
Thiruvarur.  
[Crime No.394 of 2015]

**... Respondent**

**Prayer:** Criminal Miscellaneous Petition filed under Section 389 (1) of the Code of Criminal Procedure praying to suspend the sentence imposed on the petitioner by the learned Principal Sessions Judge at Thiruvarur, by judgement dated 08.11.2021 in Crl.A.No.2 of 2021 in C.C.No.4 of 2020 on the file of the learned Judicial Magistrate at Thiruvarur, dated 07.12.2020 and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

For Petitioner : Ms.D.Chandrleka,  
Legal Aid Counsel

For Respondent / State : Mr.S.Vinoth Kumar,  
Government Advocate (Crl. Side)



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**ORDER**

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This Criminal Miscellaneous Petition is filed seeking to suspend the sentence imposed on the petitioner by the learned Judicial Magistrate (Additional Mahila Court), Thiruvavarur, by judgement dated 07.12.2020 in C.C.No.04 of 2020 and as confirmed by the learned Principal Sessions Judge at Tiruvarur, by judgement dated 08.11.2021 in C.A.No. 2 of 2021 and enlarge the petitioner on bail pending disposal of the Criminal Appeal.

2. Heard both sides.

3. The petitioner was convicted by the trial court for offence under Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act and sentenced to undergo simple imprisonment for two years and to pay a fine of Rs.10,000/- in default to undergo simple imprisonment for a further period of six months which was confirmed by the appellate court.

4. It is submitted that the petitioner was secured and has been committed to the prison on 23.08.2022.

5. Considering the nature of the allegations and considering the sentence imposed by the trial court, this court is of the view that this is a fit case for the grant of suspension of sentence and for the grant of bail pending disposal of the



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criminal revision petition 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 Aadhaar 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.

This Criminal Miscellaneous Petition is ordered accordingly with the above directions.

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Index : yes/no  
Speaking order/Non-speaking order  
kmk

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To

- 1.The Principal Sessions Judge, Thiruvarur, Thiruvarur District.
- 2.The Judicial Magistrate (Addl. Mahila Court), Thiruvarur, Thiruvavur District.
- 3.The Inspector of Police, Thiruvarur Police Station, Thiruvarur.
- 3.The Superintendent of Central Prison, Trichy.
- 4.The Public Prosecutor, High Court, Madras.



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D.BHARATHA CHAKRAVARTHY. J.,

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