



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Eleventh day of March Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.3371 of 2022
IN
CRL RC(MD) No.157 of 2022

JEYARAMAN

... PETITIONER

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
THENI POLICE STATION,
THENI
(CRIME NO.573 OF 2011)

... RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed by the learned Additional District and Sessions Judge (FTC), Theni in Crl.A.No.79 of 2019 Dated 06.07.2021 confirming the conviction and sentence passed in C.C.No.81 of 2012, Dated 30.08.2019 on the file of the Learned Chief Judicial Magistrate, Theni pending disposal of this revision and release the petitioner on bail.

Prayer in CRL RC(MD) . 157/ 2022 :

To call for the records of the Impugned Judgement dated 06.12.2021 passed by the Learned Additional District & Sessions Judge(FTC), Theni in Crl.A.No.56/2019 confirming the conviction and sentence passed by the Learned Judicial Magistrate, Theni in C.C.No.81/2022 dated 30/08/2019 and set aside the same by allowing the Revision Petition.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.BHARATHI.S., Advocate for the petitioner and of Mr.K.SANJAY GANDHI, Government Advocate(crl.side) on behalf of the Respondent, While admitting the Crl.R.C, the court made the following order:-

The petitioner is the sole accused in C.C.No.81 of 2012 on the file of the learned Chief Judicial Magistrate, Theni. By judgment dated 30.08.2019, he has been convicted under Sections 279 and 304-A IPC and sentenced to undergo simple imprisonment for one month under Section 279 IPC and also sentenced to undergo simple imprisonment



for six months and to pay fine of Rs.1,000/-, in default, to undergo one month simple imprisonment. Challenging the same, he has filed an appeal in C.A.No.56 of 2019 and the same was dismissed by the learned Additional District and Sessions Judge (Fast Track Court), Theni by judgment dated 06.12.2021. Challenging the same, the petitioner is before this Court with Crl.R.C.(MD) No.157 of 2022. Pending disposal of the same, the petitioner has come forward with this petition seeking suspension of substantive sentence of imprisonment.

2.I have heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent police and also perused the records carefully.

3.It is submitted by the learned counsel for the petitioner that the petitioner would not abscond. It is further submitted that there are arguable points in his favour. It is not possible for taking up the revision for final hearing in the near future, going by the pendency of the cases in this Bench.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner had surrendered on 09.03.2021.

5.In view of all the above, I am inclined to suspend the substantive sentence of imprisonment pending disposal of the revision. Accordingly, this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner alone is suspended and the petitioner is directed to be enlarged on bail, on the following conditions:

The petitioner executes a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Theni, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
11/03/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE ADDITIONAL DISTRICT & SESSIONS JUDGE (FAST TRACK COURT),
THENI.

<https://hcservices.ecourts.gov.in/hcservices/>



2 THE CHIEF JUDICIAL MAGISTRATE
THENI.

3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE
THENI POLICE STATION,
THENI

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to M/S.BHARATHI.S. Advocate SR.No.1969

ORDER

IN

CRL MP(MD) No.3371 of 2022
IN

CRL RC(MD) No.157 of 2022

Date :11/03/2022

SA/VR/SAR.3/11.03.2022/3P/7C