



WEB COPY



Crl.MP.No.5082 of 2023

Crl.MP.Nos.5082 & 5083 of 2023

in

Crl.RC.No.674 of 2023

RMT.TEEKAA RAMAN, J.,

Crl.MP.No.5082 of 2023 has been filed to suspend the sentence imposed on the Petitioner/Accused in C.C.No.124 of 2016 on the file of the learned District Munsif cum Judicial Magistrate Court, Kattumannarkoil dated 10.11.2022, confirmed by Judgment passed in Crl.A.No.55 of 2022 dated 23.02.2023 by the learned 2nd Additional District and Sessions Judge, Chidambaram and release the Petitioner on bail, till the disposal of the above Criminal Revision Petition.

2.Crl.MP.No.5083 of 2023 has been filed to exempt the Petitioner/Accused from surrender before the learned District Munsif cum Judicial Magistrate, Kattumannarkoil in CC.No.124 of 2016.

3.The Petitioner, who is sole accused in C.C.No.124 of 2016 on the file of the learned District Munsif cum Judicial Magistrate Court, Kattumannarkoil, was convicted and sentenced to pay fine amount of



Crl.MP.No.5082 of 2023

Rs.1,000/- in default, to undergo one week simple imprisonment and to undergo six months simple imprisonment and to pay Rs.10,000/- fine amount in default, to undergo one month simple imprisonment.

4.The above conviction and sentence imposed by the learned District Munsif cum Judicial Magistrate Court, Kattumannarkoil was confirmed by the learned 2nd Additional District and Sessions Judge, Chidambaram in C.A.No.55 of 2022.

5.The learned counsel for the Petitioner would submit that both the Courts below failed to consider that PW2 evidence is not corroborated with the evidence of PW3 & PW4 and they wrongly laid the conviction and sentence. Hence he would pray for suspension of the substantial sentence. He would also submit that the fine amount has been paid.

6.The learned Government Advocate has raised objections for suspending the sentence on the ground that there is concurrent finding.



Crl.MP.No.5082 of 2023

7.Taking into consideration the submissions made by the learned counsel for the Petitioner, I find that there are arguable points available in the Revision and hence, I am inclined to suspend substantive sentences of imprisonment alone on certain conditions.

8.Accordingly, till the disposal of the Revision, the substantive sentences of imprisonment alone is suspended and the Petitioner is ordered to be enlarged on bail, on the following conditions:-

- i. The Petitioner shall execute separate 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 District Munsif cum Judicial Magistrate Court, Kattumannarkoil, within fifteen days from the date of receipt of a copy of this order.
- ii. The Petitioner shall report before the said Court on the first working day of every English Calendar month at 10.30 a.m., until further orders.

13.04.2023
(2/2)

sai



WEB COPY



Crl.MP.No.5082 of 2023

RMT.TEEKAA RAMAN, J.,

sai

Crl.MP.Nos.5082 & 5083 of 2023
in
Crl.RC.No.674 of 2023

Dated 13.04.2023
(2/2)