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Crl.M.P.No.10083 of 2
in Crl.R.C.No.1264 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R.HEMALATHA**

Crl.M.P.No.10083 of 2023 in
Crl.R.C. No.1264 of 2023

P.J.Rassul

...Petitioner

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
Central Crime Branch,
Egmore, Chennai.
(Crime No.26/2003)

...Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) Cr.P.C.
praying to suspend the sentence imposed on the petitioner by the learned
Principal District and Sessions Judge, Chengalpattu in Crl.A.No.97 of 2019,
dated 28.02.2023.

For Petitioner : Mr.A.R.Suresh

For Respondent : Mr.R.Vinothraja,
Government Advocate (Crl. side)

ORDER

This criminal miscellaneous petition is filed seeking suspension of
sentence imposed by the learned Principal District and Sessions Judge,
Chengalpattu in Crl.A.No.97 of 2019 on 28.02.2023 confirming the



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conviction and sentence passed by the learned learned Judicial Magistrate, Alandur dated 15.11.2019 in C.C. No.202/2012 and to enlarge the petitioner on bail.

2. The petitioner is the accused in C.C.No.202/2012 before the learned Judicial Magistrate, Alandur and he was convicted and sentenced on 15.11.2019 as follows:

<i>S.No.</i>	<i>Provision under which convicted</i>	<i>Sentence</i>
1	Section 406 IPC	Simple imprisonment for nine months
2	Section 420 IPC	Simple imprisonment for nine months and to pay a sum of Rs.9,28,625/- as compensation to the victims within a period of one month, in default, to undergo simple imprisonment for five months.

3. This was confirmed by the Principal District and Sessions Judge, Chengalpattu.

4. Heard Mr.A.R.Suresh, the learned counsel for the petitioner and Mr.R.Vinothraja, learned Government Advocate (Crl. side) appearing for the respondent.



5. The learned counsel for the petitioner contended that the petitioner is ready to deposit a sum of Rs.5 lakhs before the trial Court viz., the learned Judicial Magistrate, Alandur within a period of one month and prayed for granting suspension of sentence.

6. The learned Government Advocate (Crl. side) did not raise any serious objection for granting suspension of sentence to the revision petitioner.

7. Considering the submissions made by the learned counsel appearing on either side, this criminal miscellaneous petition is allowed and the sentence imposed on the petitioner is suspended, however, subject to the following conditions:

- i. the petitioner is directed to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of C.C.No.202/2012 before the learned Judicial Magistrate, Alandur, within a period of one month from the date of receipt of a copy of this order;
- ii. After depositing the said amount, the petitioner shall appear before the learned Judicial Magistrate, Alandur and execute a bond for a sum of Rs.50,000/-, with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Judicial Magistrate, Alandur;



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iii. The sureties shall affix their photographs and Left Thumb Impression on the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity; and

iv. The petitioner shall appear before the trial court everyday at 10.30 a.m. for a period of four weeks and thereafter, the petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the Criminal Revision Petition 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 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.

26.07.2023

(2/2)

vum
To

1.The Principal District and Sessions Court, Chengalpattu.

2.The Judicial Magistrate Court,
Alandur.

3.The Section Officer,
Criminal Section, Madras High Court, Chennai.

R.HEMALATHA, J.

vum



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