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Crl.M.P.No.9120 of 2
in Crl.R.C.No.1163 of 2023

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R.HEMALATHA, J.

This criminal miscellaneous petition has been filed seeking to suspend the execution of sentence in Crl.A.No.104 of 2022 by the First Additional District & Sessions Judge, Coimbatore, confirming the judgment passed by the Judicial Magistrate No.1, Coimbatore in C.C.No.224 of 2015 in Crime No.179 of 2015 on the file of the respondent/police pending disposal of the revision petition.

2. The petitioners, who were accused in C.C.No.224 of 2015 before the Judicial Magistrate No.1, Coimbatore, were convicted and sentenced as follows on 28.09.2022:

<i>S.No.</i>	<i>Provision under which convicted</i>	<i>Sentence</i>
1	Section 420 IPC	Simple imprisonment for two years each and to pay a fine of Rs.3,000/- each in default to undergo simple imprisonment for three months each
2	Section 471 r/w 465 IPC	Simple imprisonment for one year each and to pay a fine of Rs.2,000/- each in default to undergo simple imprisonment for three months each



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3. Challenging the above conviction and sentences, the petitioner s have filed Crl.R.C.No.1163 of 2023 along with the instant miscellaneous petition seeking suspension of sentence and bail.

4. Heard Mr.R.Krishnamurthy, learned counsel for the petitioners and Mr.J.Subbiah, learned Government Advocate (Crl. Side) for the respondent/State.

5. It is the case of the prosecution that the accused with an intention to cheat had forged school transfer certificate and produced it for the purpose of joining as Government employee in Sri Pateeswarasamy Temple, Perur.

6. The petitioners have raised substantial grounds in the revision petition, which require detailed appraisal. In such circumstances, this Court is of the view that the petitioners are entitled to the relief of suspension of sentence and bail.

7. Accordingly, this criminal miscellaneous petition stands allowed and the sentence of imprisonment is suspended and bail is granted to the



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petitioners on the following conditions:

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- (i) The petitioners shall execute a bond for a sum of Rs.25,000/- each, with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Judicial Magistrate No.1, Coimbatore;
- (ii) 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
- (iii) The petitioners shall appear before the respondent/police 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 appeal 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.

03.07.2023
(2/2)

mtl

Issue order copy on 07.07.2023



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R.HEMALATHA, J.

mtl

To

1.The Judicial Magistrate No.1, Coimbatore.

2.The Inspector of Police,
R-2, Perur Police Station,
Coimbatore - 641 010.

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03.07.2023