



Crl. M.P. No.11252 of 2023
in Crl.A.No.804 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

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

Crl.M.P.No.11252 of 2023
in Crl.A. No.804 of 2023

A.Manohar

...Petitioner

vs.

State Rep. by
Inspector of Police,
V-6, Kolathur Police Station,
Chennai.

...Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 374(2) Cr.P.C. praying to suspend the sentence imposed in S.C.No.8/2021 dated 28.06.2023 by the learned Sessions Judge Mahila Court, Allikulam, Chennai till the date of disposal of the above appeal.

For Petitioner : Mr.G.Ashok Kumar

For Respondent : Mr.S.Sugendran, APP



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ORDER

This criminal miscellaneous petition is filed seeking suspension of sentence imposed by the Sessions Judge Mahila Court, Allikulam, Chennai in S.C.No.8/2021 dated 28.06.2023 and to enlarge the petitioner on bail.

2. The petitioner is the accused in S.C.No.8/2021 before the Sessions Judge Mahila Court, Allikulam, Chennai and he was convicted and sentenced on 28.06.2023 as under:

<i>S.No.</i>	<i>Offences under which convicted</i>	<i>Sentence</i>
1	Section 335 IPC	Rigorous imprisonment for three years and to pay a fine of Rs.10,000/-, in default, to undergo simple imprisonment for three months.

3. Heard Mr.G.Ashok Kumar, the learned counsel for the appellant and Mr.S.Sugendran, learned Additional Public Prosecutor for the respondent.



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4. The learned counsel for the appellant contended that the appellant/accused had paid the fine amount on 28.06.2023 and the trial Court has suspended the sentence under Section 389(3) Cr.P.C. Learned counsel for the appellant/petitioner has raised substantial points in the memorandum of appeal which require a detailed consideration by this Court.

5. Considering the facts and circumstances of the case, this Court is of the view that the petitioner/appellant is entitled to the relief of suspension of sentence and bail with certain conditions.

6. Accordingly, this criminal miscellaneous petition stands allowed and the sentence of imprisonment is suspended and bail is granted to the petitioner on the following conditions:

- i. The petitioner 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 Sessions Judge Mahila Court, Allikulam, Chennai.



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- 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 petitioner 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.

03.08.2023

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R.HEMALATHA, J.
mtl

To

1.The State Rep. by
Inspector of Police,
V-6, Kolathur Police Station,
Chennai.

2.The Sessions Judge Mahila Court, Allikulam, Chennai

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

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