



WEB COPY



Crl.M.P.No.11214 of 2023
in Crl.R.C.No.1347 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

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

Crl.M.P.No.11214 of 2023 in
Crl.R.C.No.1347 of 2023

R.Singaravelan

...Petitioner

Vs.

The State,
Rep. by the Inspector of Police,
W-28, All Women Police Station,
Ambattur, Chennai
(Crime No.23/2012)

...Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) Cr.P.C. praying to suspend the sentence imposed in Crl.A.No.12 of 2021, dated 13.07.2023 passed by the III Additional District & Sessions Judge, Poonamallee confirming the Judgment and sentence in C.C. No.165/2014, dated 25.01.2021 passed by the Judicial Magistrate, Ambattur and enlarge the petitioner on bail, pending disposal of the Criminal revision petition.

For Petitioner : Mr.L.Rajasekar

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

ORDER

This criminal miscellaneous petition is filed seeking suspension of sentence imposed by the learned III Additional District & Sessions Judge,

Poonamallee in Crl.A.No.12 of 2021 on 13.07.2023 confirming the



Crl.M.P.No.11214 of 2023
in Crl.R.C.No.1347 of 2023

conviction and sentence passed by the learned Judicial Magistrate, Ambattur dated 25.01.2021 in C.C. No.165/2014 and to enlarge the petitioner on bail.

2. The petitioner is the accused in C.C.No.165/2014 before the learned Judicial Magistrate, Ambattur and he was convicted and sentenced on 25.01.2021 as follows:

<i>S.No.</i>	<i>Provision under which convicted</i>	<i>Sentence</i>
1	Section 406 IPC	Simple imprisonment for six months and to pay a fine of Rs.2,000/-, in default, to undergo simple imprisonment for one month.

3. This was confirmed by the III Additional District & Sessions Judge, Poonamallee.

4. Now the present revision petitioner/accused filed the criminal revision petition in Crl.R.C.No.1347 of 2023 along with this present criminal miscellaneous petition seeking suspension of sentence.

5. Heard Mr.L.Rajasekar, the learned counsel for the petitioner and Mr.R.Vinothraja, learned Government Advocate (Crl. side) appearing for the



respondent.

WEB COPY

6. The learned counsel for the petitioner contended that there are arguable points in the Criminal Revision and hence, he prayed for suspension of sentence.

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

8. This Court finds that the petitioner has substantial grounds in this Criminal Revision Petition, which require detailed appraisal. Therefore, this criminal miscellaneous petition is allowed and the sentence is suspended, however, subject to the following conditions:

- i. The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Judicial Magistrate, Ambattur;
- 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



WEB COPY



Crl.M.P.No.11214 of 2023
in Crl.R.C.No.1347 of 2023

ensure their identity; and

- iii. 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.

03.08.2023

Index: Yes/No
Speaking/Non-Speaking order
vum

To

1.The III Additional District & Sessions Judge,
Poonamallee.

<https://www.mhc.tn.gov.in/judis>



Crl.M.P.No.11214 of 2023
in Crl.R.C.No.1347 of 2023

2.The Judicial Magistrate Court,
Ambattur.

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

R.HEMALATHA, J.



WEB COPY



Crl.M.P.No.11214 of 2023
in Crl.R.C.No.1347 of 2023

vum

Crl.M.P.No.11214 of 2023 in
Crl.R.C.No.1347 of 2023

03.08.2023