



Crl. M.P. No.13114 of 2023
in Crl.A.No.916 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM

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

Crl.M.P.No.13114 of 2023
in Crl.A. No.916 of 2023

1.Jagan
2.Venkatesan

...Petitioners

vs.

State Rep. by
Inspector of Police,
E-1, Mylapore Police Station,
Chennai.

...Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) & 439 Cr.P.C. praying to suspend the sentence imposed in S.C.No.66/2013 dated 24.07.2023 by the learned III Additional Sessions Judge, Chennai till the date of disposal of the above appeal.

For Petitioners : Ms.S.Sarala

For Respondent : Mr.S.Sugendran, APP



WEB COPY



Crl. M.P. No.13114 of 2023
in Crl.A.No.916 of 2023

ORDER

This criminal miscellaneous petition is filed seeking suspension of sentence imposed by the III Additional Sessions Court, Chennai in S.C.No.66/2013 dated 24.07.2023 and to enlarge the petitioners on bail.

2. The petitioners are the accused in S.C.No.66/2013 before the III Additional Sessions Court, Chennai and they were convicted and sentenced on 24.07.2023 as under:

<i>S.No.</i>	<i>Offences under which convicted</i>	<i>Sentence</i>
1	Section 333 IPC	Simple imprisonment for one year and to pay a fine of Rs.10,000/- each, in default, to undergo simple imprisonment for one month. The fine amount of Rs.20,000/- shall to be paid to the victim as compensation u/s.357 Cr.P.C.

3. Heard Ms.S.Sarala, the learned counsel for the petitioners and Mr.S.Sugendran, learned Additional Public Prosecutor for the respondent.



WEB COPY



Crl. M.P. No.13114 of 2023
in Crl.A.No.916 of 2023

4. The learned counsel for the petitioners contended that the petitioners have already paid the fine amount. The learned counsel for the petitioners have 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 petitioners/appellants are 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 petitioners on the following conditions:

- 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 III Additional Sessions Court, Chennai.
- ii. The sureties shall affix their photographs and Left Thumb Impression on the surety bond and the trial Court may obtain a



Crl. M.P. No.13114 of 2023
in Crl.A.No.916 of 2023

WEB COPY

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.

30.08.2023

(2/2)

mtl



WEB COPY



Crl. M.P. No.13114 of 2023
in Crl.A.No.916 of 2023

R.HEMALATHA, J.
mtl

To

1.The State Rep. by
Inspector of Police,
E-1, Mylapore Police Station,
Chennai.

2.The III Additional Sessions Court, Chennai.

Crl.M.P.No.13114 of 2023
in Crl.A. No.916 of 2023

30.08.2023