



*Crl.M.P.No.377 of 2023 in
Crl.A.No.35 of 2023*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 11.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

**Crl.M.P.No.377 of 2023 in
Crl.A.No.35 of 2023**

Madesh

... Petitioner

Vs.

State represented by
The Inspector of Police,
Denkanikottai Police Station,
Denkanikottai
Krishnagiri District.

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C. to suspend the sentence imposed against the petitioner in S.C.No.29 of 2021 passed by the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri, Krishnagiri District dated 22.09.2022 and enlarge the petitioner on bail pending above the criminal appeal and pass orders.

For Petitioner : Mr.M.P. Saravanan

For Respondent : Mr.C.E. Pratap

Government Advocate



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ORDER

This petition has been filed to suspend the sentence imposed against the petitioner in S.C.No.29 of 2021 passed by the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri, Krishnagiri District dated 22.09.2022 and enlarge the petitioner on bail.

2. The petitioner is an accused in S.C.No. 29 of 2021 on the file of learned sessions Judge, Fast Track Mahila Court, Krishnagiri, Krishnagiri District. The Trial Court vide order dated 22.09.2022 convicted and sentenced the accused as extracted hereunder.

Conviction under Section	Sentence
Section 294(b) of I.P.C	To undergo 3 months Simple Imprisonment and Rs.1,000/- fine in default one month simple imprisonment.
Section 307 of IPC	To undergo 2 years rigorous imprisonment and Rs.1,000/- fine in default undergo 3 months simple imprisonment.

3. Challenging the conviction and sentence slapped by the Trial Court and the first Appellate Court, the petitioner is before this Court.

4. The learned counsel for the petitioner submitted that there are



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arguable points in this Criminal Appeal and hence, prayed for suspension of sentence.

5. Heard the learned counsel appearing for the petitioner and perused the impugned judgments and the materials on record.

6. Taking into consideration the above submission of the learned counsel appearing for the petitioner, this Court finds that the petitioner has substantial grounds in this Criminal Appeal, which require detailed appraisal. Therefore, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence.

7. Accordingly, it is ordered as follows.

(i) The substantive sentence of imprisonment alone is suspended and the petitioner shall surrender before the Trial Court within two weeks from the date of receipt of a copy of this order and on such surrender, the petitioner is ordered to be released on bail on his ***executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Fast Track***



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Mahila Court, Krishnagiri.

(ii) The petitioner and the sureties shall affix their photograph and Left Thumb Impression in the bond and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(iii) The petitioner shall appear before the Trial Court as and when required.

11.01.2023

(1/2)

Index:Yes/No
Internet:Yes/No
smn
To

1. The Sessions Judge, Fast Track Mahila Court, Krishnagiri, Krishnagiri District.

2.The Public Prosecutor, High Court, Madras.



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V.SIVAGNANAM, J.

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