



Crl.M.P.No.54 of 2023 in Crl.R.C.No.9 of 2023

Crl.M.P.No.54 of 2023
in
Crl.R.C.No.9 of 2023

V.SIVAGNANAM,J.

This petition has been filed to suspend the sentence imposed on the petitioners by the Chief Judicial Magistrate Level, Tiruppur in C.C.No.44 of 2015, vide judgement dated 12.09.2017, which was confirmed by the Principal Sessions Judge, Tiruppur, in Crl.A.No.102 of 2017, vide judgment dated 03.11.2022, pending disposal of the Criminal Revision Petition.

2. The Trial Court, by judgment dated 12.09.2017 in C.C.No..44 of 2015, acquitted the petitioners/accused from the offence under Section 420 IPC and convicted for the offence punishable under Section 4 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978, and sentenced them as under:

Rank of the accused	Conviction under Section	Sentence
1 st accused	Section 4 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978	Rigorous Imprisonment for 2 years with a fine of Rs.5,000/-, in default, to undergo Simple



Crl.M.P.No.54 of 2023 in Crl.R.C.No.9 of 2023

Rank of the accused	Conviction under Section	Sentence
		imprisonment for 6 months.
2 nd accused	Section 4 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978	Rigorous Imprisonment for 2 years with a fine of Rs.5,000/-, in default, to undergo Simple imprisonment for 6 months.

Challenging the above judgment, the petitioner preferred an appeal in Crl.A.No.102 of 2017, which was also confirmed by the first appellate Court.

3. Challenging the conviction and sentence slapped by the Trial Court and the first appellate Court, the petitioners are before this Court.

4. The learned counsel for the petitioners submitted that there are arguable points in this Criminal Revision Case. Hence, prayed for suspension of sentence.

5. Heard the learned Government Advocate (Crl. side) appearing for



Crl.M.P.No.54 of 2023 in Crl.R.C.No.9 of 2023

the respondent and perused the impugned judgment and the materials on record.

6. Taking into consideration of the above submission of the learned counsels appearing on both sides, this Court finds that the petitioners have substantial grounds in this Criminal Revision Case, which require detailed appraisal. Therefore, this Court is of the view that the petitioners are 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 petitioners 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 petitioners are ordered to be released on bail on condition that each of the petitioners shall *execute a separate 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 Fast Track Court at Magisterial Level,*

3 of 5



Crl.M.P.No.54 of 2023 in Crl.R.C.No.9 of 2023

Tiruppur.

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

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

05.01.2023

2/2

rpl



WEB COPY



Crl.M.P.No.54 of 2023 in Crl.R.C.No.9 of 2023

V.SIVAGNANAM, J.,

rpl

Crl.M.P.No.54 of 2023
in
Crl.R.C.No.9 of 2023

05.01.2023