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*Crl.M.P.No.108 of 2023 in
Crl.RC.No.20 of 2023*

**Crl.M.P.No.108 of 2023 in
Crl.RC.No.20 of 2023**

V.SIVAGNANAM, J.,

This petition has been filed to suspend the sentence imposed on the petitioner by the Trial Court in C.C.No.492 of 2019, vide judgement dated 17.08.2021, which was confirmed by the first Appellate Court in C.A.No.32 of 2021, vide judgment dated 29.11.2022, pending disposal of the Criminal Revision Petition.

2. The learned Chief Judicial Magistrate, Cuddalore, vide judgment dated 17.08.2021 passed in C.C.No.492/2019, convicted and sentenced the petitioner, as extracted hereunder.

Conviction under Section	Sentence
279 IPC	3 months simple imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo 1 month simple imprisonment.
304(A) IPC	1 year simple imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo 3 months simple imprisonment.

The above sentences were ordered to run concurrently. Challenging the above conviction and sentence, the petitioner preferred an Appeal in



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Crl.A.No.32/2021. The learned Principal District and Sessions Judge, Cuddalore, vide judgment dated 29.11.2022, has confirmed the judgment passed by the Trial Court.

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

4. The learned counsel for the petitioner submitted that there are arguable points in this Criminal Revision Petition. He further submitted that already, the petitioner paid the fine amount and hence, prayed for suspension of sentence.

5. Heard the learned Government Advocate(Crl. side) appearing for the respondent and perused the impugned judgment and the materials on record.

6. Taking into consideration of the above submission of the learned counsel appearing on both sides, this Court finds that the petitioner has substantial grounds in this Criminal Revision Petition, which require detailed appraisal. Therefore, this Court is of the view that the petitioner is entitled to



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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 Chief Judicial Magistrate, Cuddalore.*

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

06.01.2023

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To

- 1.The Principal District and Sessions Judge, Cuddalore.
2. The Chief Judicial Magistrate, Cuddalore.



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WEB COPY 3. The Public Prosecutor, High Court, Madras.



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