



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Third day of February Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.1961 of 2023

IN

CRL RC(MD) No.138 of 2023

RAJA @ RAJA BOOPATHI

... PETITIONER/PETITIONER

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID,
MADURAI.
(CRIME NO.4/2012).

... RESPONDENT/RESPONDENT

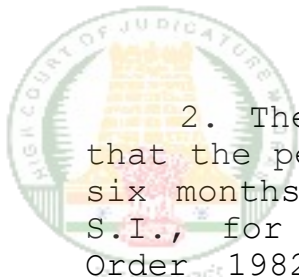
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to enlarge the petitioner on bail by suspending the sentence imposed in Crl A No. 99 of 2019 by the V Additional District and Sessions Judge, Madurai dated 23.12.2022 confirming the Judgment of conviction and sentence made in C.C No. 43 of 2012 by the Judicial Magistrate No.III(CCIW), Madurai dated 08.08.2019.

PRAYER IN CRL RC(MD) No.138/2023:

Pleased to call for the records and set aside the order dated 23.12.2022 passed by the V Additional District and Sessions Judge, Madurai in Crl.A.No.99 of 2019 confirming the Judgment dated 08.08.2019 passed by the Judicial Magistrate No.III(CCIW), Madurai in C.C.No.43 of 2012.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.LENIN KUMAR.T, Advocate for the petitioner and of Mr.M.SAKTHI KUMAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

This petition has been filed to suspend the sentence imposed by the Court of the learned V Additional District and Sessions Judge, Madurai, in Crl.A.No.99 of 2019, dated 23.12.2022, in confirming the conviction and sentence imposed by the learned III Judicial Magistrate (CCIW), Madurai, in C.C.No.43 of 2012 dated 08.08.2019, pending disposal of the Criminal Revision.



2. The learned counsel appearing for the petitioner stated that the petitioner has been convicted by the trial Court to undergo six months S.I., and Rs.100/- fine in default to undergo 15 days S.I., for the alleged offence under Section 6(4) of TNSC (RDCS) Order 1982 r/w. 7(1)(a)(ii) of E.C.Act, 1955 and sentenced to undergo six months S.I., and Rs.100/- fine in default to undergo 15 days S.I., for the offence under Clause 17 of TNK (RT) Order, 1973. The appellate Court has confirmed the judgment of trial Court.

3. The learned counsel appearing for the petitioner submitted that the revision case is preferred on the legal ground.

4. Considering the submission of the learned counsel for the petitioner, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision and the petitioner is directed to be enlarged 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 III Judicial Magistrate (CCIW), Madurai, and on further condition that the petitioner shall appear before the concerned Court once in a week i.e., on the first working day of every week at 10.30 a.m. pending revision.

sd/-

03/02/2023

/ TRUE COPY /

06/02/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

1 THE V ADDITIONAL DISTRICT AND SESSIONS JUDGE, MADURAI.

2 THE JUDICIAL MAGISTRATE N.III (CCIW), MADURAI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

4 THE INSPECTOR OF POLICE
CIVIL SUPPLIES CID, MADURAI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.LENIN KUMAR.T Advocate SR.No.1812

ORDER IN

CRL MP(MD) No.1961 of 2023

IN CRL RC(MD) No.138 of 2023

Date : 03/02/2023

SA/VR/SAR. /06.02.2023/2P/7C

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