



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

Monday, the Tenth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.K.RAMAKRISHNAN

CRL MP(MD) No.9757 of 2023
IN
CRL RC(MD) No.699 of 2023

R.RAMADOSS

... PETITIONER/REVISION PETITIONER

Vs

THE INSPECTOR OF POLICE
THANJAVUR TRAFFIC INVESTIGATION WING,
THANJAVUR DISTRICT.
(IN CRIME NO.83 OF 2015)

... RESPONDENT/RESPONDENT

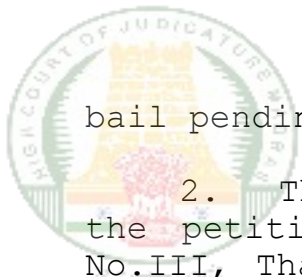
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Suspend the sentence of the petitioner imposed in Judgement dated 30.01.2019 in C.C.No.96 of 2015 on the file of Learned Judicial Magistrate NO.III, Thanjavur, confirmed in Judgment dated 16.06.2023 made in Crl.A.No.27 of 2019 on the file of II Additional District & Sessions Court, Thanjavur enlarged petitioner bail pending disposal of the above criminal revision petition.

Prayer in CRL RC(MD) . 699/ 2023 :

To call for the records pertaining to the Judgment dated 16.06.2023 made in Crl.A.No.27 of 2019 on the file of II Additional District and Sessions Court, Thanjavur, confirming the judgment dated 30.01.2019 in C.C.No.96 of 2015 on the file of Learned Judicial Magistrate No.III, Thanjavur, set aside the same and allow the Criminal Revision.

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. ARUN PRASAD.A, Advocate for the petitioner and of Mr.P.KOTTAI CHAMY, Government Advocate(crl.side) on behalf of the Respondent, the court made the following order:-

This petition is filed to suspend the sentence imposed by the II Additional District & Sessions Court, Thanjavur, in Crl.A.No.27 of 2019 dated 16.06.2023, in confirming the conviction and sentence imposed by learned Judicial Magistrate No.III, Thanjavur, in C.C.No.96 of 2015, dated 30.01.2019, and enlarge the petitioner on



bail pending disposal of the Criminal Revision.

2. The learned counsel for the petitioner would submit that the petitioner was convicted by the learned Judicial Magistrate No.III, Thanjavur, for the offence under Section 304A IPC and was sentenced to undergo 1 year simple imprisonment and to pay a fine of Rs.1000/-, in default to undergo 1 month simple imprisonment. The II Additional District & Sessions Court, Thanjavur, dismissed the appeal filed by the petitioner, in Crl.A.No.27 of 2019.

3. This Court has carefully considered the submission made by the counsel for the petitioner and also perused the materials available on record.

4. The learned counsel for the petitioner submitted that there are some arguable points involved in the criminal revision and the learned trial Judge as well as the Appellate Judge has not considered the evidence in proper prospect and hence, the judgment is suffered from perversity. He further submitted that the petitioner is in custody from 12.06.2023 onwards and he seeks for the suspension of sentence.

5. As rightly contended by the learned counsel for the petitioner that there are some arguable points involved in the criminal revision and since there was no antecedent against the petitioner, this Court is inclined to grant suspension of sentence and accordingly this 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 Judicial Magistrate No.III, Thanjavur, and on further condition that the petitioner shall appear before the trial Court once in a month i.e., on the first working day of every month at 10.30 a.m. pending revision.

sd/-

10/07/2023

/ TRUE COPY /

11/07/2023

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

DSS

TO

1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

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



3 THE II ADDITIONAL DISTRICT & SESSIONS JUDGE,
THANJAVUR.

4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

5 THE INSPECTOR OF POLICE
THANJAVUR TRAFFIC INVESTIGATION WING,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL MP (MD) No.9757 of 2023
IN

CRL RC (MD) No.699 of 2023

Date :10/07/2023

SA/VR/SAR. /11.07.2023/3P/7C