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Crl.M.P.No.7503 of 2024
in
Crl.A.No.1408 of 2023

K. KUMARESH BABU, J

This Criminal Miscellaneous Petition has been filed by the petitioner seeking suspension of sentence of imprisonment imposed by the learned XXI Additional Sessions Judge, City Civil Court, Allikulam, Chennai by judgment dated 15.11.2023 made in S.C.No.311 of 2021 and enlarge the petitioner on bail pending disposal of the above appeal.

2. By the said judgment, the petitioner/appellant was convicted for the offences under Sections 279, 304 (ii) IPC and under Section 185 of Motor Vehicles Act, and sentenced him to pay a fine of Rs.1,000/- in default, to undergo three months simple imprisonment for the offence under Section 279 IPC, to undergo five years rigorous imprisonment and to pay a fine of Rs.10,000/-, in default, to undergo six months simple imprisonment for the offence under Section 304(ii) IPC and to pay a fine of Rs.2,000/-, in default, to undergo three months simple imprisonment for the offence under Section 185 of Motor Vehicles Act. Against which,



the present appeal is filed along with suspension of sentence petition.

3. The learned counsel for the petitioner submitted that all the fine amounts imposed by the trial Court have been paid by the petitioner. The petitioner, who is aged about 24 years is in prison for more than 120 days. He further submitted that the petitioner has relied upon certain documents before this Court. Therefore, he prays for grant of suspension of sentence to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that he has opposed for grant of suspension of sentence to the petitioner.

5. Heard both sides.

6. Considering the facts and circumstances of the case and the submissions made by the learned counsel appearing for the parties, this Court is of the view that the sentences of imprisonment imposed on the



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petitioner, shall be suspended and bail is granted to the petitioner.

Accordingly, pending disposal of the Criminal Appeal, the substantive sentences of imprisonment alone are suspended and the petitioner shall 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 XVIII Metropolitan Magistrate, Saidapet, Chennai, and on further condition that he shall appear before the said learned XVIII Metropolitan Magistrate, Saidapet, Chennai, on the first working day of every month at 10.30 a.m. until further orders.

08.05.2024

MSM



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