



WEB COPY



*Crl.M.P.No.7470 of 2024
in Crl.A.No.508 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.05.2024

CORAM:

THE HON'BLE MR.JUSTICE **K. KUMARESH BABU**

Crl.M.P.No.7470 of 2024
in
Crl.A.No.508 of 2024

Hari ... Petitioner

Vs.

The State rep. by
The Inspector of Police,
K-6, T.P.Chatram Police Station (Law & Order),
Chennai – 600 10.
(Crime No.62 of 2020) ... Respondent

PRAYER: Criminal Miscellaneous Petition has been filed under Section 389(2) of Cr.P.C to suspend the sentence imposed in S.C.No.137 of 2021 on 26.02.2024 on the file of the III Additional Sessions Judge, Chennai and enlarge the petitioner on bail pending disposal of the Criminal Appeal.

For Petitioner : Mr.S.V.Udayakumar

For Respondent : Mr.L.Baskaran,
Government Advocate (Crl. Side)



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ORDER

The petitioner, who is the third accused in S.C.No.137 of 2021 and was convicted and sentenced to undergo 7 years of rigorous imprisonment and to pay a fine of Rs.5,000/-, in default, six months of simple imprisonment for the offence under sections 307 r/w 34 of IPC and sentenced to undergo 2 years of simple imprisonment for the offence under section 506(ii) by the trial court, has filed this suspension of sentence.

2. It is brought to the notice of this Court that this Court, by order dated 25.04.2024 in Crl.M.P.No.5267 of 2024 in Crl.A.No.347 of 2024, which was filed by the first accused, had suspended the sentence of the first accused and enlarged him on bail.

3. In such view of the matter, I am inclined to suspend the sentence of imprisonment imposed on the petitioner/third accused.

4. Accordingly, the substantial sentence of imprisonment imposed on



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the petitioner is suspended till the disposal of the appeal and the petitioner is ordered to be enlarged on bail, on condition that he shall execute 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 Additional Sessions Judge, Chennai.

5. Further, the petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m. until the disposal of the appeal and if they are not able to appear before the Trial Court on that day, they shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of his absence as directed by the Trial Court.

6. Accordingly, this Criminal Miscellaneous Petition is ordered.

08.05.2024

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To

Page 3/5



*Crl.M.P.No.7470 of 2024
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1. The III Additional Sessions Judge, Chennai

2. The Public Prosecutor,
High Court, Madras.



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K. KUMARESH BABU, J.

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