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Crl.M.P.No.7653 of 2024
in Crl.A.No.572 of 2024

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K.KUMARESH BABU, J.

This Criminal Miscellaneous Petition has been filed by the petitioner seeking to suspend the execution of sentence and to enlarge the petitioner on bail in Special C.C.No.6 of 2019, dated 29.04.2024 by the learned Chief Judicial Magistrate, Vellore, Special Court for P.C.Act, pending disposal of the appeal.

2.By the said judgment, the petitioner was convicted for the offences under Section 7 and 13(2) r/w 13(1) (d) of P.C.Act, 1988 and was convicted and sentenced to undergo two years rigorous imprisonment and also directed to pay a fine of Rs.5,000/- and in default to undergo 3 months simple imprisonment under Section 7 of P.C.Act, 1988 and also sentenced to undergo three years rigorous imprisonment and fine of Rs.5,000/- in default to undergo 3 months simple imprisonment under Section 13(2) r/w 13(1)(d) of P.C.Act, 1988, by the learned Special Judge / Chief Judicial Magistrate, Vellore District, vide judgment dated 29.04.2024 in Special C.C.No.6 of 2019 and all the sentences were ordered to run concurrently and total fine amount is Rs.10,000/-



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petition.

Against which, the present Appeal is filed along with suspension of sentence

3. It is brought to the notice of this Court that the sentence imposed upon the petitioner / appellant has been suspended by the trial Court in C.M.P.No.5771 of 2024 in Spl.C.C.No.6 of 2019 till 29.05.2024 vide order dated 29.04.2024. The petitioner had also been on bail pending the trial. The learned counsel for the petitioner submitted that all the fine amounts imposed by the trial Court have been paid by the petitioner. 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 has opposed for grant of suspension of sentence to the petitioner.

5. Heard both sides.

6. The petitioner has raised substantial grounds in the appeal, which requires detailed appraisal. Further, the Appeal is not likely to be taken up in



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near future. In such view of the matter, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence and grant of bail.

7.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 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 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 Special Judge / Chief Judicial Magistrate, Vellore District. The petitioner is further directed to appear before the said learned learned Special Judge / Chief Judicial Magistrate, Vellore District, on the first working day of every month at 10.30 a.m. until further orders.

8. This petition is ordered accordingly.

09.05.2024
(2/2)



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K.KUMARESH BABU, J.

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Copy to :

The Special Judge / Chief Judicial Magistrate
Vellore District.

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