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Crl.M.P.Nos.7856 and 7858 of 2024 In Crl.R.C.No.922 of 2024

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Crl.R.C.No.922 of 2024

M.DHANDAPANI,J.

The petitioner is the accused in C.C.No.67 of 2019 on the file of the District Munsif cum Judicial Magistrate Court at Edapadi and he was convicted for the offences punishable under Sections 279 and 304(A) of IPC and was sentenced to undergo simple imprisonment for six months and to pay a fine of Rs.1,000/- in default to undergo simple imprisonment for one week for the offence under Section 279 of IPC and to undergo simple imprisonment for two years and to pay a fine of Rs.1,000/- in default to undergo simple imprisonment for one week for the offence under Section 304(A) of IPC. The sentence and conviction imposed by the Trial Court was confirmed by the learned I Additional District and Sessions Judge, Salem, in C.A.No.67 of 2022, by judgment dated 11.12.2023. Hence, the petitioner seeks suspension of sentence.

2.The learned counsel for the petitioner would submit that there are lot of material contradictions in the evidence of the prosecution



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and the prosecution evidence is also highly unbelievable.

3.Heard the submissions made by the learned Government Advocate (Crl. Side).

4.Having regard to the fact that there are arguable points involved in the revision and further, the revision is not likely to be taken up for final hearing in the near future, I am of the considered opinion that the petitioner is entitled for the relief of suspension of sentence.

5.Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to appear before the trial Court and 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 District Munsif cum Judicial Magistrate Court at Edapadi and on further condition that the petitioner shall appear before the said Court at 10.30 a.m. on the first working day of every English Calendar month, pending revision.



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6.The criminal miscellaneous petition in Crl.M.P.No.7856 of 2024 is ordered accordingly.

7.In view of the order passed in Crl.M.P.No.7856 of 2024, the petition for exemption to surrender in Crl.M.P.No.7858 of 2024 is closed.

10.06.2024

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