



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.M.P.No.2830 of 2024

in

Crl.R.C.No.297 of 2024

1. Sanjai
2. Sathish @ Soundar ... petitioners

-Vs-

The Inspector of Police,
Kitchipalayam Police Station,
Salem. ... Respondent
Cr. No.286 of 2021

PRAYER: Criminal Miscellaneous Petition filed under Sections 397 (1) of the Criminal Procedure Code, to suspend the sentence imposed by the I Additional District and Sessions Judge, Salem in C.A.No.140 of 2023 dated 08.11.2023 and confirming the order of the learned Chief Judicial Magistrate, Salem convicting the petitioners in S.C.No.139 of 2022 dated 13.07.2023 and released the petitioners on bail.

For petitioners : Mr.S.Sengkodi

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

**ORDER**

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The criminal miscellaneous has been filed as against the judgment and sentence imposed by the I Additional District and Sessions Judge, Salem in C.A.No.140 of 2023 dated 08.11.2023 and confirming the order of the learned Chief Judicial Magistrate, Salem by convicting the petitioners in S.C.No.139 of 2022 dated 13.07.2023 for an offence under Sections 147, 148, 341, 294(b), 307 r/w 149 of IPC and the first accused was convicted and sentenced to undergo simple imprisonment for one month and to pay a fine of Rs.500/-, in default, to undergo simple imprisonment for one week for the offence under Section 341 of IPC and convicted and sentenced to undergo one year simple imprisonment and to pay a fine of Rs.2000/-, in default, one month simple imprisonment for the offence under Section 148 of IPC and convicted and sentenced to undergo five years rigorous imprisonment and pay a fine of Rs.5,000/- each fine, in default, one month imprisonment for the offence under Section 307 of IPC. The 4th accused was convicted and sentenced to undergo one month simple imprisonment and to pay a fine of Rs.500/- in default one week simple imprisonment for the offence under Section 341 of IPC and convicted and sentenced to undergo six months simple



imprisonment and to pay a fine of Rs.1000/- in default, one month simple imprisonment for the offence under Section 147 and the 4th accused was convicted to undergo five years RI and Rs.5000/- fine in default, one month SI for the offence under Section 307 read with 149 IPC. Challenging the same, the appellants have filed criminal revision and the present miscellaneous petition seeking suspension of sentence of imprisonment.

2. The learned counsel for the petitioners submitted that the petitioners are innocent and no way connected with the alleged offence and seeks bail.

3. In the facts and circumstances of the case, the Criminal Miscellaneous Petition is ordered and the punishment of imprisonment imposed as against the petitioners (A1 & A4) is hereby suspended and they are directed to be released on bail on the following conditions:

a) the Petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each to the satisfaction of the learned chief Judicial Magistrate, Salem along with two sureties for a like sum;



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b) the Petitioners shall report before the Court below on the first working day of every month at 10.30 AM, until further orders.

**30.04.2024
(2/2)**

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Note: Issue order copy on 30.04.2024

To

1. The Inspector of Police,
Kitchipalayam Police Station,
Salem.
2. The Chief Judicial Magistrate,
Salem.
3. The I Additional District and Sessions Judge,
Salem.
4. The Superintendent of Police,
Central Prison,
Coimbatore.
5. The Public Prosecutor,
High Court of Madras,
Madras.



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M.DHANDAPANI, J.

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