



Crl.M.P.No.12209 of 2022 in Crl.R.C.No1079 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.12209 of 2022

in

Crl.R.C.No.1079 of 2022

S.Rameshkumar

... Petitioner

Versus

State rep. by
The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
Crime No.591 of 2013.

... Respondent

Prayer: Criminal Miscellaneous Petition is filed under Section 397(1) of the Code of Criminal Procedure, pleaded to suspend the sentence passed by III Additional District and Sessions Judge, Tiruppur at Dharapuram in C.A.No.37 of 2014 dated 28.11.2018 against the petitioner and enlarge him on bail pending disposal of the appeal.

For Petitioner : Mr.P.Kalimuthu

For Respondent : S.Vinoth Kumar
Government Advocate (Crl. Side)



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ORDER

WEB COPY This Criminal Miscellaneous Petition is filed to suspend the sentence passed by the learned III Additional District and Sessions Judge, Tiruppur at Dharapuram in C.A.No.37 of 2014 dated 28.11.2018 against the petitioner and enlarge him on bail pending disposal of the revision.

2. Heard the learned Counsel for the petitioner and learned Government Advocate (Criminal Side) for the respondent.

3. At the outset, the learned Counsel for the petitioner submitted that the petitioner is in prison for a period of more than one year and he would submit that there is no antecedence as against the petitioner and he prays for suspension of sentence.

4. Per contra, the learned Government Advocate (Crl.Side) would submit that in this case the trial Court had rightly convicted the petitioner. But, however, he would submit that there is no antecedence as against the petitioner.



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5. Considering the fact that the petitioner is in prison from 23.09.2021 onwards and considering the fact that it may take a while for this Court to take up the revision for final hearing, I am of the view that this is a fit case for grant of suspension of sentence pending the above revision. Therefore, I am inclined to suspend the sentence and grant bail to the petitioner on the following conditions:-

(a) the petitioner is ordered to be released on bail, on his executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the Trial Court;

(b) the petitioner and the sureties shall affix their photographs and left thumb impressions in the surety bonds and the learned Magistrate may obtain a copy of their Aadhar Cards or Bank Pass books to ensure their identities;

(c) 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 Criminal Revision and if he is not able to appear before the Trial Court on any day, he shall make arrangements to file an application under Section 317 of Cr.P.C., and shall appear before the Trial Court on



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any other day in *lieu* of the date of his absence, as directed by the Trial Court.

6. This Criminal Miscellaneous Petition is ordered accordingly.

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Index : yes/no

Speaking order/Non-speaking order

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To

1. The III Additional District and Sessions Judge,
Tiruppur.
2. The Superintendent of Police,
Central Prison,
Coimbatore.
3. The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY. J.,

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