

In the Court of the Principal Sessions Judge, Madurai.

Present : Thiru. P.Vadamalai, B.Com., B.L.,

Principal Sessions Judge, Madurai.

Saturday, this the 23rd day of January -2021.

CrI.M.P.No.503/2021 & CRLA No.12/2021

Mariappan, S/o.Maruthamuthu

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Vilakuthoon P.S. Cr.No.715/2012

... Respondent/Complainant.

This petition taken up today for hearing the arguments of Thiru.K.R.Balakrishnan, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following.

Order

Petition u/s 389(i) of Cr.P.C praying to suspend the execution of sentence passed by the Judicial Magistrate No.1, Madurai in CC.No.43/2013 dated 29.12.2020 and to release the petitioner/appellant bail till the disposal of the appeal.

2. Heard. The learned counsel for the petitioner would submit that the trial court has convicted the petitioner/appellant u/s 294(b) and 324 (2 counts) of IPC and sentenced to pay fine of Rs.2000/- I/d. s.I. for one month u/s. 294(b) IPC and sentenced to undergo S.I. for one year each u/s. 324(2 counts). The petitioner has paid the fine amount and preferred the appeal against the conviction. The learned counsel further submitted that the petitioner was on bail during the proceedings before the trial Court and the sentence was suspended for 30 days and hence, prayed for suspension of sentence and bail.

3. Perused the petition and judgment. The trial court has convicted the petitioner for the offence stated above. The fine amount has been paid by the

petitioner. The learned counsel represented that the petitioner was on bail during trial proceedings before the lower court and the lower court has suspended the sentence for 30 days. Fine amount paid by the petitioner and he produced the receipt.

4. Considering the circumstances, the substantive sentence of imprisonment alone is suspended till the disposal of the appeal and the petitioner is ordered to be released on bail on his executing a bond for Rs.10000/- with two sureties each for the like sum to the satisfaction of the learned Judicial Magistrate No.1, Madurai.

Pronounced by me in Open Court on the 23rd day of January -2021.

Sd/- P.Vadamalai

Principal Sessions Judge, Madurai

Copy to

1. The J.M.No.1. Madurai.
2. The Inspector of Police, Vilakuthoon P.S.
3. The Petitioner through his counsel.