

Crl.M.P.No.7484 of 2016 in Crl.A.No.529 of 2016

S.NAGAMUTHU, J.
AND
V.BHARATHIDASAN, J.

[Order of the Court was made by **V.BHARATHIDASAN, J.,**]

The appellant is the sole accused in S.C.No.257 of 2014 on the file of the learned II Additional District and Sessions Judge, Salem. By judgment dated 15.12.2015, he has been convicted for offence under Sections 341, 302 and 201 of IPC. The maximum sentence imposed upon him is imprisonment for life. Challenging the said conviction and sentence, the appellant is before this Court with this appeal. Pending appeal, he seeks suspension of sentence.

2. Heard the learned counsel for the petitioner/appellant and Mr.V.M.R.Rajentren, the learned Additional Public Prosecutor appearing for the State and we have also perused the records carefully.

3. The deceased is the wife of the accused. According to the prosecution, on 17.8.2015 at night at about 12 'O' clock, there was a quarrel between the accused and the deceased and the accused attacked the deceased, strangulated her by hand and caused her death.

4. This is a case of circumstantial evidence and the prosecution mainly relied on the extra judicial confession given by the accused. On 18.08.2016 at about 6 pm, the

**S.NAGAMUTHU, J.
AND
V.BHARATHIDASAN, J.**

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accused has appeared before P.W.9, the Village Administrative Officer and has given extra judicial confession admitting the guilt and the trial Court has convicted the accused, based on the extra judicial confession.

5. Prima facie, we find no reason to disbelieve the extra judicial confession given by the accused to the Village Administrative officer.

6. Therefore, we are not inclined to grant suspension of sentence of imprisonment at this stage. Hence, the petition is dismissed.

[S.N.J.,] [V.B.D.J.,]

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22.08.2016

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