



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Seventh day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.NAGAMUTHU
and

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL MP(MD) No.10372 of 2016

IN

CRL A(MD) No.265 of 2016

AMMASI

... PETITIONER/APPELLANT

Vs

STATE REP.BY THE
INSPECTOR OF POLICE,
INCHARGE OF MELUR POLICE STATION,
PREVENTION OF LIQUOR,
KOTTAMPTTI POLICE STATION,
CR.NO. 422 OF 2014

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence in the pending appeal which is imposed on the petitioner / appellant in SC No. 305 of 2015 on the file of VI Additional District and Sessions Judge, Madurai dated 07.04.2016 and thus render justice.

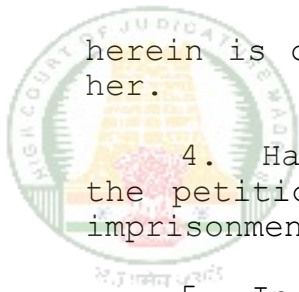
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S M.VIJAYASHANTHI, Advocate for the petitioner and of MR.R.RAMACHANDRAN, Additional Public Prosecutor for the Respondent the court made the following order:-

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner is the third accused in S.C.No.305 of 2015 on the file of the learned Sixth Additional District and Sessions Judge, Madurai. She has been convicted for the offence punishable under Section 302 r/w 34 of the Indian Penal Code and sentenced to undergo imprisonment for life and to pay a fine of Rs.5,000/-, in default, to undergo simple imprisonment for six months. Challenging the said conviction and sentence, the petitioner has come up with the present Criminal Appeal. Pending appeal, she seeks suspension of sentence.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the State. We have also perused the records carefully.

<https://hcservices.courts.gov.in/hcservices/>ought to our notice that earlier this Court has granted suspension of sentence for the first and second accused, as there is no specific overt act attributed against them. So far as the petitioner



herein is concerned, there is no specific overt act attributed against her.

4. Having regard to all the above, this Court is of the view that the petitioner is entitled for suspension of substantive sentence of imprisonment imposed her pending appeal.

5. In the result, the petition is allowed and the substantive sentence of imprisonment imposed on the petitioner/third accused alone is suspended pending disposal of the above said Crl.A.(MD)No.265 of 2016 and the petitioner is directed to be enlarged on bail on her executing 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 learned Judicial Magistrate, Melur, subject to a condition that she shall report before the Committal Court, once in a month, i.e., on the first working day of every English Calendar month at 10.30 a.m. until further orders.

sd/-
07/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE VI ADDITIONAL DISTRICT SESSIONS JUDGE, MADURAI

2 THE JUDICIAL MAGISTRATE, MELUR

3 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

4 THE INSPECTOR OF POLICE,
INCHARGE OF MELUR POLICE STATION,
PREVENTION OF LIQUOR, KOTTAMPTTI POLICE STATION,

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

6 THE SUPERINTENDENT
SPECIAL PRISION FOR WOMEN, MADURAI

+1. C.C. to M/S M.VIJAYASHANTHI Advocate SR.No.66414

GJM/GSV/PM/SAR-I-8.11.16-2P-8C

ORDER
IN
CRL MP (MD) No.10372 of 2016
IN
CRL A (MD) No.265 of 2016
Date : 07/11/2016