



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

Friday, the Eighteenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.NAGAMUTHU

and

The Hon`ble Mr.Justice D.KRISHNAKUMAR

CRL MP (MD) No.10703 of 2016

IN

CRL A (MD) No.418 of 2016

SIRAJUDEEN

... PETITIONER/PETITIONER

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
CANTONMENT POLICE STATION,
TRICHY DISTRICT.

CRIME No.1683 OF 2012

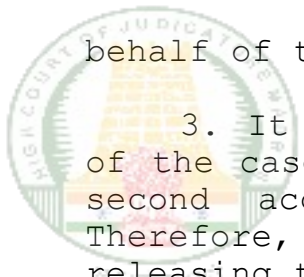
... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed on us by order dated 24.08.2016 passed in S.C.No. 220 of 2013 on the file of the Learned Principal district and Sessions Judge, Trichy

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.B.JAMEEL ARASU, Advocate for the petitioner and of Mr.R.RAMACHANDRAN, Additional Public Prosecutor on behalf of 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.220 of 2013 on the file of the learned Sessions Judge, Tiruchirappalli. Including the petitioner, there were as many as six accused in this case. By judgment dated 24.08.2016, the Trial Court has convicted the petitioner/third accused for the offences under Sections 302 and 323 of the Indian Penal Code and sentenced him to undergo imprisonment for life and to pay a fine of Rs.2,000/-, in default, to undergo rigorous imprisonment for two years for the offence under Section 302 of the Indian Penal Code and to pay a fine of Rs.1,000/-, in default, to undergo rigorous imprisonment for 3 months for the offence under Section 323 of the Indian Penal Code. Challenging the said conviction and sentence imposed, the petitioner has come up with the present Criminal Appeal. Pending appeal, he seeks suspension of sentence.



behalf of the State. We have also perused the records carefully.

3. It is brought to our notice that on considering the merits of the case, we have already suspended the sentence imposed on the second accused. The petitioner stands in the same footing. Therefore, for the very same reason, which we have held for releasing the second accused, while granting suspension of sentence, we are inclined to grant suspension of substantive sentence of imprisonment imposed on him pending appeal.

4. 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.418 of 2016 and the petitioner is directed to be enlarged on bail on his 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 No.II, Tiruchirappalli, subject to a condition that he 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/-
18/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
TRICHY.
2. THE JUDICIAL MAGISTRATE NO.II,
TIRUCHIRAPPALLI.
3. THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
4. THE INSPECTOR OF POLICE
CANTONMENT POLICE STATION,
TRICHY DISTRICT
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
6. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

+1. C.C. to M/S.B.JAMEEL ARASU Advocate SR.No. 70591

ORDER IN
CRL MP(MD) No.10703 of 2016
IN
CRL A(MD) No.418 of 2016
Date :18/11/2016