



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

Monday, the Twenty Third day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN
and
The Hon`ble Mr.Justice S.S.SUNDAR

CRL MP(MD) No.3094 of 2016
IN
CRL A(MD) No.122 of 2016

STALIN

... PETITIONER/APPELLANT

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
SURANDAI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO. 346 / 2011

... RESPONDENT/COMPLAINANT

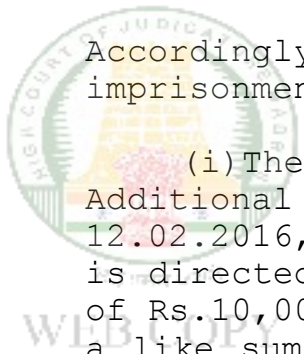
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence in respect of the conviction sentence passed in S.C.No. 354/2012 on 12.02.2016 on the file of the IVth Additional District and Session Judge, Tirunelveli and enlarge the petitioner on bail pending disposal of the main Crl.A.

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

The petitioner/appellant is the sole accused in S.C.No.354 of 2012 on the file of the IV Additional District and Sessions Judge, Tirunelveli. By Judgment dated 12.02.2016, the trial Court has found the petitioner/appellant guilty under Section 302 IPC and sentenced him to undergo life Imprisonment and to pay a fine of Rs.1,000/-, in default, to under rigorous Imprisonment for six months.

2.Challenging the said conviction and sentence, the petitioner has come up with this Crl.A.No.122 of 2016. Pending disposal of the said appeal, he has come up with this Crl.M.P.No.3094 of 2016 for suspending his sentence.

3.Having regard to the above facts and circumstances of the case and also the fact that the petitioner/appellant is in prison from 12.02.2016 and that there is no antecedent against this petitioner, this Court is inclined to suspend the sentence.



Accordingly, pending appeal, the substantive sentence of imprisonment alone is suspended on the following conditions:-

(i) The sentence of imprisonment passed by the learned IV Additional District and Sessions Judge, Tirunelveli, dated 12.02.2016, in S.C.No.354 of 2012 is suspended and the petitioner is directed to be released 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, Senkottai.

(ii) On such release, the petitioner shall report before the IV Additional District and Sessions Judge, Tirunelveli, daily twice i.e. at 10.30 a.m., and 5.30 p.m. until further orders.

sd/-

23/05/2016

/ TRUE COPY /

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

TO

- 1 THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE, TIRUNELVELI.
- 2 THE JUDICIAL MAGISTRATE, SENKOTTAI.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, TIRUNELVELI.
- 5 THE INSPECTOR OF POLICE, SURANDAI POLICE STATION,
TIRUNELVELI DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S M.VIVEKANANDAN Advocate SR.No.26824
RJ2/PJL
CSL/PM-DP/SAR-I/27.05.2016 : 2P/8C

ORDER
IN
CRL MP (MD) No.3094 of 2016
IN
CRL A (MD) No.122 of 2016
Date : 23/05/2016