



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

Wednesday, the Fourth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL MP (MD) No.3947 of 2016
IN
CRL A (MD) No.150 of 2016

PALANI

... PETITIONER/APPELLANT

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KUNDRAKUDI POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO. 4/2009)

... RESPONDENT/ RESPONDENT

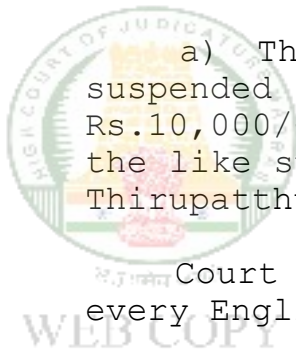
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed in S.C.No. 118 of 2010 dated 03.02.2016 on the file of the District Fast Track Mahila Court, Sivagangai and enlarge the petitioner on bail pending disposal of the above 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 P.VENKATA SUBRAMANIAN, Advocate for the petitioner and of MR.A.P.BALASUBRAMANI, Government Advocate (Crl.Side) on behalf of the Respondents the court made the following order:-

The petitioner seeks for suspension of the substantive sentence of imprisonment imposed on him by the Sessions Judge, Fast Track Mahila Court, Sivagangai, in S.C.No.118/2010 by the judgment dated 03.02.2016.

2. This Criminal Appeal has been filed challenging the judgment in S.C.No.118 of 2010 convicting the accused for offence under Section 306 IPC and sentenced him to undergo simple imprisonment for 5 years and to pay a fine of Rs.3,000/-, in default, to undergo rigorous imprisonment for 6 months.

3. The petitioner has raised substantial grounds in the appeal. Since the revision will not be taken up immediately, it will be in the interest of justice, the sentence can be suspended and the accused can be ordered to be released on bail. Accordingly, the substantive sentence imposed upon the petitioner in S.C.No.118 of 2010 on 03.02.2016 by the Sessions Judge, Fast Track Court Mahila Court, Sivagangai, is suspended and the accused is directed to be released on bail on the following conditions:-



a) The substantive sentence of imprisonment alone shall be suspended pending disposal of the appeal on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties each for the like sum to the satisfaction of the learned Judicial Magistrate, Thirupatthur.

b) On such release, the petitioner shall report before the Court of Judicial Magistrate, Thirupatthur, on the first day of every English calendar month until further orders.

sd/-
04/05/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUPATTHUR.
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI.
- 3 THE SESSIONS JUDGE, FAST TRACK COURT MAHILA COURT SIVAGANGAI.
- 4 THE INSPECTOR OF POLICE
KUNDRAKUDI POLICE STATION,
SIVAGANGAI DISTRICT.
- 5 THE SUPERINTENDENT CENTRAL PRISON, MADURAI.

+1. C.C. to M/S P.VENKATA SUBRAMANIAN Advocate SR.No.25954

RG.ALL-MPA/SAR-III 05.05.2016 2P.7C

ORDER
IN
CRL MP (MD) No.3947 of 2016
IN
CRL A (MD) No.150 of 2016
Date : 04/05/2016