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

Friday, the Tenth day of June Two Thousand Sixteen
PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP(MD) No.4527 of 2016

IN

CRL RC(MD) No.363 of 2016

SHANMUGAM

... PETITIONER/PETITIONER

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

NAINARKOVIL POLICE STATION,

RAMNAD DISTRICT.

(CRIME NO. 62/05)

... 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 of imprisonment passed by the learned Additional District and Sessions Judge, Ramanathapuram in Crl.A.No. 19 of 2013 by the Judgment dated 30.03.2016 by which partly confirming the finding of the Trial Judgment imposed by the Learned Judicial Magistrate, Paramakudi in C.C.No.36 of 2006 by the Judgment dated 09.05.2013 and enlarge the petitioner on bail, pending disposal of the Crl.R.C.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S R.MURUGAN, Advocate for the petitioner and of M/S.S.PRABHA, Govt.Advocate(Crl.Side) on behalf of the Respondent, the court made the following order:-

The revision petitioner challenges the legality and propriety of the conviction and sentence recorded by the trial Court as well as the appellate Court.

2.The revision petitioner is A1 in C.C.No.36 of 2006. The learned Judicial Magistrate, Paramakudi convicted the petitioner under Sections 147, 148, 326 and 506(ii) r/w 149 I.P.C.

3.The learned Additional Sessions Judge, Ramanathapuram modified the conviction and sentence in Criminal Appeal No.19 of 2013 as under:

Conviction	Sentence
Section 324 I.P.C.	6 months R.I. plus fine Rs.2,000/- i/d 2 weeks SI
Section 506(ii) I.P.C.	6 months R.I.

Both the sentences were directed to run concurrently. Fine amount paid.



4. The learned counsel for the petitioner submitted that there are very many legal infirmities in the conviction recorded by the trial Court and by the appellate Court and they are required to be revised.

5. In the facts and circumstances, perusing the impugned judgments and the materials on record, I am of the view that certain eminently arguable points are involved in this Criminal Revision. They are required to be examined in detail at the main criminal revision. It will take some time for the disposal of this Criminal revision. Further, the petitioner was on bail in the trial Court. I see prima facie case. I am inclined to grant revision bail to the petitioner.

6. In view of the above, ordered as under:

(1) Revision bail granted.

(2) Sentence of imprisonment awarded by the learned Additional Sessions Judge, Ramanathapuram in CrI.A.No.19 of 2013 is suspended.

(3) There shall be two sureties, they and the petitioners shall each execute a bond for Rs.10,000/- (Rupees Ten thousand only) to the satisfaction of the learned Judicial Magistrate, Paramakudi.

(4) The petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m. until further orders.

sd/-

10/06/2016

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

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, RAMANATHAPURAM.
- 2 DO-THRO' THE PRINCIPAL SESSIONS JUDGE, RAMANATHAPURAM.
- 3 THE JUDICIAL MAGISTRATE, PARAMAKUDI.
- 4 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 5 THE INSPECTOR OF POLICE
NAINARKOVIL POLICE STATION, RAMNAD DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S R.MURUGAN Advocate SR.No.29482

ORDER IN

CRL MP (MD) No.4527 of 2016
IN

CRL RC (MD) No.363 of 2016

Date : 10/06/2016

PA/AAL-MPA/SAR II/13.06.2016/2P/8C