



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

Wednesday, the Fifteenth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP(MD) No.4662 of 2016
IN
CRL RC(MD) No.387 of 2016

1 ARUMUGAM @ SURESH
2 THIRUNEELAKANDAN @ MANIKANDAN ... PETITIONERS/PETITIONERS

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
VELAYUTHAMPALAYAM POLICE STATION,
KARUR DISTRICT.
IN CRIME NO. 171 OF 2010 ... 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 judgment dated 01.04.2016 made in Criminal Appeal No. 18 of 2016 on the file Mahila Court, Karur confirming the judgment made in C.C.No. 123 of 2010 on the file of the Judicial Magistrate No. II, Karur, dated 11.02.2016 till the disposal of the revision petition

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

The revision petitioners, who have been convicted, under Section 380 I.P.C., in C.C.No.123 of 2010 of 2014, by the learned Judicial Magistrate No.II, Karur, and sentenced to 1 year S.I., and each fined Rs.1,000/-, i/d 1 month S.I., which has been confirmed by the learned Sessions Judge, Fast Track Mahila Court, Karur, seek revision bail under Section 397(1) Cr.P.C.

2. According to the learned counsel for the revision petitioners, the Trial Court as well as the Appellate Court have overlooked certain vital aspects and it missed the points, which ought to have been taken into account. Thus, there is legal flaw. There is a prima facie case in favour of the petitioners.

3. The learned Government Advocate (Criminal Side) submitted that the Trial Court as well as the Appellate Court have rightly convicted and appropriately punished the revision petitioners. There is no prima facie case in their favour.

<https://hcservices.courts.gov.in/hcservices> anxiously considered the rival submissions, perused the averments in the bail petition, impugned Judgment and the relevant evidence on record.



5. Very many legal aspects and technical issues have been raised, which are required to be examined in detail in the revision. It will take sometime for its disposal. I find prima facie case in favour of the petitioners. I am inclined to grant him revision bail.

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

- (i) Revision bail granted.
- (ii) Sentence of imprisonment ordered by the Trial Court and confirmed by the Appellate Court alone is suspended.
- (iii) There shall be two sureties, they and each of the petitioners shall execute a bond for Rs.10,000/- (Rupees ten thousand only) each to the satisfaction of the learned Judicial Magistrate No.II, Karur.
- (iv) The petitioners shall appear before the said Court on the first working day of every month at 10.30 a.m. until further orders.

sd/-
15/06/2016

/ TRUE COPY /

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

TO

1 THE SESSIONS JUDGE,
FAST TRACK MAHILA COURT,
KARUR

2 THE PRINCIPAL SESSIONS JUDGE,
KARUR.

3 THE JUDICIAL MAGISTRATE NO.II,
KARUR.

4 DO THRO THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

5 THE INSPECTOR OF POLICE
VELAYUTHAMPALAYAM POLICE STATION,
KARUR DISTRICT.

6 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S S.GOKUL RAJ Advocate SR.No.30601.

ORDER
IN
CRL MP(MD) No.4662 of 2016
IN
CRL RC(MD) No.387 of 2016
Date :15/06/2016