



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

Tuesday, the Sixth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.NAGAMUTHU
and

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL MP(MD) No.5170 of 2016

IN

CRL A(MD) No.232 of 2016

MUKILAN

...PETITIONER/APPELLANT/5TH ACCUSED.

Vs

THE DEPUTY SUPERINTENDENT OF POLICE,
O.C.U. CBCID, MADURAI CITY,
MADURAI DISTRICT

... RESPONDENT/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 imposed on the petitioner by the Learned Principal District & Sessions Court, Dindigul dated 10.4.2016 made in S.C. No.33 of 2010 pending disposal of the above Criminal Appeal before this Honourable Court.

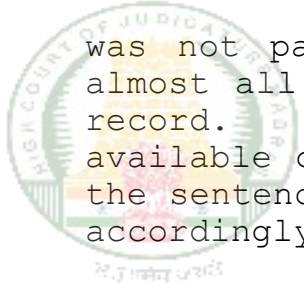
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.K.BAALASUNDHARAM, Advocate for the petitioner and of M/S.R.RAMACHANDRAN, Additional Public Prosecutor, on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by S.NAGAMUTHU,J.)

The Petition is the fifth accused in S.C.No.33 of 2010 on the file of learned Principal District and Sessions Judge, Dindigul. He has been convicted for the offence punishable under Section 364(A) of the Indian Penal Code and sentenced to undergo imprisonment for life and to pay a fine of Rs.1,000/-, in default, to undergo simple imprisonment for six months. Challenging the said conviction and sentence, he has come up with the Appeal. Pending appeal, he seeks suspension of sentence.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the state. We have also perused the records carefully.

3. This is a case where a professional doctor, who was on his routine morning walk, was abducted for ransom and since the amount



was not paid, he as killed. There are nine accused totally and almost all the nine have been convicted. We have gone through the record. In our considered view, there are enormous evidences available on record and, therefore, it is not a fit case to suspend the sentence. The petition, therefore, deserves to be dismissed and accordingly, the same is dismissed.

4. Registry is directed to list the Criminal Appeal itself for final hearing.

sd/-
06/09/2016

/ TRUE COPY /

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

TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
DINDIGUL.

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

3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

4 THE DEPUTY SUPERINTENDENT OF
POLICE, O.C.U. CBCID, MADURAI CITY,
MADURAI DISTRICT.

Copy to: The Section Officer,
Criminal Section,
Madurai Bench of Madras High court,
Madurai

ORDER
IN
CRL MP (MD) No.5170 of 2016
IN
CRL A (MD) No.232 of 2016
Date :06/09/2016

AM/AAL.MPA/SAR-III/07.09.2016/2P/6C