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

Thursday, the Fourth day of August Two Thousand Sixteen
PRESENT

The Hon`ble Dr.Justice S.VIMALA

CRL MP(MD) No.6447 of 2016

IN

CRL A(MD) No.280 of 2016

M.JEYAPRAKASH

... APPELLANT/ACCCUSED NO.1

Vs

THE DEPUTY SUPERINTENDENT OF POLICE,
PARAMAKUDI DIVISION, RAMANATHAPURAM.
CR. NO.57/2004

... RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to grant an order of suspension of sentence imposed against the appellant in Spl.S.C.No.64 of 2013 on the file of the Principal Sessions Judge, Ramanathapuram till the disposal of the above appeal.

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

The petitioners/accused have challenged the order passed by the Principal Sessions Court in Spl.S.C.No.64/2013 dated 26.07.2016.

2.The petitioner has been convicted under Section 147 IPC and sentenced to pay a fine of Rs.1,000/-, in default, to undergo simple imprisonment for one month; sentenced to pay a fine of Rs.1,000/-, in default to undergo simple imprisonment for one month for offence under Section 323 IPC and for the offence under Section 3(1)(x) of the SC/ST Act, he has been sentenced to undergo imprisonment for one year with fine of Rs.2,000/-, in default to undergo simple imprisonment for three months. Challenging the conviction and sentence, the petitioner is before this Court with this appeal. Pending appeal, he come forward with this petition seeking suspension of sentence.

3. It is represented by the learned counsel for the petitioner that the fine amount has already been paid. The learned counsel for the petitioners would submit that there are arguable points in their favour. The learned counsel would further submit that the petitioner was on bail during the period of trial and there is no likelihood of absconding. It is not possible for this Court to take up the appeal for final hearing in the near future. In view of all the above, I am inclined to suspend the substantive sentence of imprisonment pending disposal of the revision.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Accordingly, this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner alone is suspended



and the petitioner is directed to be enlarged on bail, on the following conditions:

The petitioner execute 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 Principal Sessions Judge, Ramanathapuram, and on further condition that the petitioner shall report before the concerned Court on the first working day of every English calendar month at 10.30 a.m. until further orders.

sd/-
04/08/2016

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL SESSIONS JUDGE,
RAMANATHAPURAM.
 - 2 THE DEPUTY SUPERINTENDENT OF POLICE,
PARAMAKUDI DIVISION, RAMANATHAPURAM.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to M/S.D.SIVARAMAN Advocate SR.No.42082

ORDER
IN
CRL MP(MD) No.6447 of 2016
IN
CRL A(MD) No.280 of 2016
Date :04/08/2016

PA/GSV-PM/SAR III/05.08.2016/2P/5C