



**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 B.GOKULDAS

CRL MP(MD) No.7381 of 2016

IN

CRL A(MD) No.139 of 2016

KARTHICK

... APPELLANT/ ACCUSED NO. 1

Vs

STATE REP.BY THE DEPUTY SUPERINTENDENT OF POLICE,
THIRUPPARANKUNDRAM SUB-DIVISION,
MADURAI DISTRICT.

... 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 against the petitioner/ Accused in S.C.No. 161 of 2011 dated 01.04.2016 on the file of the Learned Sessions Judge (Mahila Court) Madurai and enlarge him on bail, till the disposal of the 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.R.VENKATESWARAN, Advocate for the petitioner and of MS.PRABHA,GOVT.ADVOCATE(CRL.SIDE) on behalf of the Respondents the court made the following order:-

The first accused in S.C.No.161 of 2011, on the file of the learned Sessions Judge,(Mahila Court), Madurai, while challenging his conviction and sentence, seeks appeal bail under Section 389(1) Cr.P.C.

2. After trial, he has been convicted and sentenced as under:

Conviction	Sentence
Section 498(A) I.P.C.	3 years R.I. + Fine Rs.1,000/-, i/d 6 Months S.I.
Section 304(b) I.P.C.	10 years R.I. + Fine Rs.5,000/-, i/d 6 Months S.I.

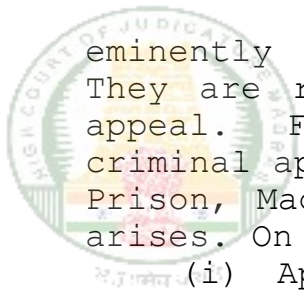
3. Fine amount has been paid.

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

5. The learned Government Advocate (Criminal Side) submitted that appreciating the evidence adduced, the Trial Court has rightly convicted and appropriately sentenced the petitioner.

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

6. In the facts and circumstances, perusing the impugned Judgment and the materials on record, I am of the view that certain



eminently arguable points are involved in this criminal appeal. They are required to be examined in detail in the main criminal appeal. Further, it will take some time for the disposal of the criminal appeal. Further, now the petitioner was confined at Central Prison, Madurai, by which, the necessity to consider this petition arises. On considerations, ordered as under:

(i) Appeal bail granted.

(ii) Substantial sentence alone is suspended on condition that the petitioner shall execute a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties for the likesum each to the satisfaction of the learned Judicial Magistrate No.VI, Madurai.

(iii) 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/-

06/09/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE SESSIONS JUDGE, (MAHILA COURT) MADURAI.
- 4 THE DEPUTY SUPERINTENDENT OF POLICE,
THIRUPPARANKUNDRAM SUB-DIVISION, MADURAI DISTRICT.
- 5 THE SUPERINTENDENT OF PRISON, CENTRAL PRISON, MADURAI.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.R.VENKATESWARAN Advocate SR.No. 50124

ORDER

IN

CRL MP(MD) No.7381 of 2016

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Date :06/09/2016