



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

Thursday, the First day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice K.K.SASIDHARAN
and

The Hon`ble Mr.Justice B.GOKULDAS

CRL MP(MD) No.8037 of 2016

IN

CRL A(MD) No.311 of 2013

CHINNADAIAKKAN

... PETITIONER/APPELLANT/SOLE ACCUSED

Vs

STATE THROUGH

THE INSPECTOR OF POLICE

NATHAM POLICE STATION, DINDIGUL DISTRICT,

(IN CRIME NO.93/2009)

... 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 the execution of sentence by granting bail in S.C.No.268 of 2010 dated 2.11.2012 on the file of the Honourable Principal District and Sessions Judge, Dindigul district till the disposal of the Criminal Appeal No.311 of 2013

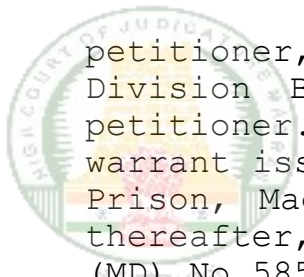
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.B.Dhanasekaran, Advocate for the petitioner and of Mr.A.Ramar, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by K.K.SASIDHARAN, J)

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor on behalf of the State.

2. This petition is to suspend the sentence in Crl.A.(MD). No.311 of 2013, imposed on the petitioner, by Judgment date:30.11.2012 in S.C.No.268 of 2010, on the file of learned Principal District and Sessions Judge, Dindigul.

3.The petitioner was convicted and sentenced to undergo imprisonment for life by the learned Principal District and Sessions Judge, by Judgment dated:30.11.2012. The petitioner filed appeal in Crl.A.(MD).NO.311 of 2013. This Court suspended the sentence, by order dated:18.09.2014 in MP.(MD).No.2 of 2013.



petitioner, the Criminal Appeal was dismissed for default. The Division Bench was pleased to cancel the bail granted to the petitioner. The petitioner was, therefore, arrested pursuant to the warrant issued by the Court. He is presently confined at the Central Prison, Madurai. The Criminal Appeal filed by the petitioner was, thereafter, restored to file by order dated:20.07.2016 in CrI.MP. (MD).No.5850 of 2016.

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5.This Court passed an order suspending the sentence by giving reasons. The bail was cancelled only on account of the absence of the petitioner to prosecute the appeal. The petitioner is aged about 65 years. The petitioner is prepared to co-operate for an early disposal of the Criminal Appeal. We are, therefore, of the view that the sentence shall be suspended pending disposal of the Criminal Appeal.

6.The sentence imposed on the petitioner, by Judgment dated:30.11.2012 in S.C.No.268 of 2010, on the file of learned Principal District and Sessions Judge, Dindigul shall remain suspended till the disposal of the Criminal Appeal, on condition that the petitioner executes a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for a like sum to the satisfaction of the learned Principal District and Sessions Judge, Dindigul.

7.The Registry is directed to post the Criminal Appeal for final disposal on 24.10.2016. The petitioner is directed to appear before this court on the next date of hearing.

8.The Miscellaneous Petition is disposed of, as indicated above.

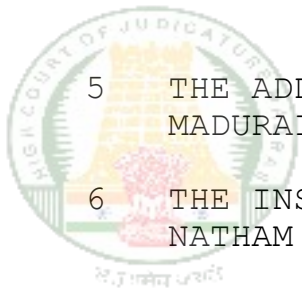
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, DINDIGUL
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
- 3 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
DINDIGUL.
- 4 THE SUPERINTENDENT,CENTRAL PRISON,MADURAI.



5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

6 THE INSPECTOR OF POLICE
NATHAM POLICE STATION, DINDIGUL DISTRICT.

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+1. C.C. to M/S.R.Alagumani Advocate SR.No.49304

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ORDER

IN

CRL MP (MD) No.8037 of 2016

IN

CRL A (MD) No.311 of 2013

Date :01/09/2016