



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

Thursday, the Fifteenth day of September Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice S.NAGAMUTHU  
and  
The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL MP(MD) No.8421 of 2016

IN

CRL A(MD) No.329 of 2016

KANNAN

... PETITIONER/APELLANT

Vs.

THE STATE REP.BY  
THE INSPECTOR OF POLICE  
KEERANUR POLICE STATION,  
DINDIGUL DISTRICT,  
CR NO. 140/2012.

... 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 imposed on the Petitioner by the Learned Additional District and Sessions Judge Dindigul passed in S.C.No.25 of 2013 dated 31.08.2016 and release the Petitioner on bail pending disposal of the above Criminal Appeal.

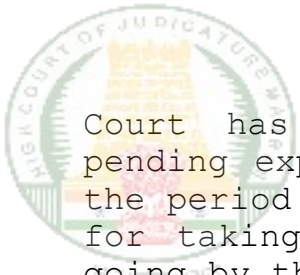
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.D.SELVARAJ, Advocate for the petitioner and of Mr.T.MOHAN, Additional Public Prosecutor for the Respondent while admitting the Crl.A, the court made the following order:-

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner is the third accused in S.C.No.25 of 2013 on the file of learned Additional District and Sessions Judge, Dindigul. He has been convicted for the offences punishable under Sections 324 IPC and sentenced to undergo rigorous imprisonment for one year and to pay a fine of Rs.10,000/-. Challenging the said conviction and sentence, the petitioner has come up with the present Criminal 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.The learned counsel for the petitioner took us through the records to show that there are arguable points in this appeal. The offence punishable under Section 324 IPC is bailable and the trial



Court has already suspended the sentence of the petitioner/A4 pending expiry of appeal period. The petitioner was on bail during the period of trial. He is not likely to abscond. It is not possible for taking up the appeal for final hearing, in the near future, going by the pendency of the cases in this Bench. In view of all the above, we are inclined to suspend the substantive sentence of the petitioner pending disposal of the appeal.

4. In the result, this petition is allowed and the sentence of imprisonment imposed on the petitioner/A3 alone is suspended pending disposal of the above said CrI.A.(MD)No.329 of 2016 and the petitioner is directed to be enlarged on bail on his executing 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 **(\*)Judicial Magistrate, Palani**, subject to a condition that he shall report before the committal Court, once in a month, i.e., on the first working day of every English Calendar month at 10.30 a.m. until further orders.

sd/-  
15/09/2016

**(\*)Amended as per order dated.27.09.2016  
made in CrI.MP(MD)No.9291/2016 in  
CrI.A(MD)No.329/2016.**

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

TO

**(\*)To be substituted for the order already despatched.**

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, DINDIGUL
- 2 THE JUDICIAL MAGISTRATE, PALANI, DINDIGUL DISTRICT.
- 3 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL
- 4 -do-thro THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT
- 5 THE INSPECTOR OF POLICE, KEERANUR POLICE STATION,  
DINDIGUL DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.D.SELVARAJ Advocate SR.No.56304

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ORDER IN  
CRL MP(MD) No.8421 of 2016  
IN CRL A(MD) No.329 of 2016  
Date :15/09/2016