



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

Tuesday, the Twenty Fifth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.NAGAMUTHU
and

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

CRL MP(MD) No.9534 of 2016

IN

CRL A(MD) No.360 of 2016

R. MANOHAR

... PETITIONER/PETITIONER

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
GOVERNMENT HOSPITAL POLICE STATION,
TIRUCHIRAPALLI,
CRIME NO. 106/2014.

... 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 us by order dated 14.03.2016 passed in S.C. No. 198 of 2014 on the file of the learned principal district and Sessions judge Tiruchirapalli 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.B.JAMEEL ARASU, Advocate for the petitioner and of MR.R.RAMACHANDRAN, Additional Public Prosecutor, for the Respondents the court made the following order:-

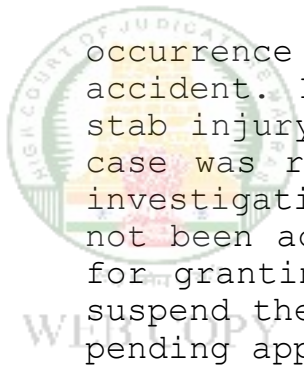
(Order of the Court was made by **S.NAGAMUTHU, J**)

The petitioner/appellant is the sole accused in S.C.No.198 of 2014 on the file of learned Sessions Judge, Tiruchirappalli. He has been convicted for the offence under Section 294(b) and 302 IPC. The maximum punishment imposed upon him is imprisonment for life. Challenging the said conviction and sentence imposed, the petitioner has come up with this appeal. Pending appeal, he seeks suspension of the substantive sentence of imprisonment imposed on him.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and we have also perused the records carefully.

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

3. Admittedly, in this case, there was no motive. The



occurrence was spontaneous on account of a small motor vehicle accident. It is also in evidence that the accused also sustained a stab injury on his thigh. According to the investigating officer, a case was registered in respect of the same, but the result of the investigation is not known. The injury sustained by the accused has not been accounted for. Thus, there is a prima facie case made out for granting suspension of sentence. Therefore, we are inclined to suspend the sentence of imprisonment alone imposed on the petitioner pending appeal.

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 shall 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 Judicial Magistrate, IV, Tiruchirappalli, District and on further condition that the petitioner shall report before the committal Court at 10.30 a.m., on the first working day of every English Calendar Month, until further orders.

sd/-
25/10/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE IV TIRUCHIRAPPALLI
 - 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUCHIRAPPALLI
 - 3 THE INSPECTOR OF POLICE
GOVERNMENT HOSPITAL POLICE STATION, TIRUCHIRAPPALLI,
 - 4 THE SESSIONS JUDGE, TIRUCHIRAPPALLI
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 6 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY
- +1. C.C. to M/S.B.JAMEEL ARASU Advocate SR.No.63352

ORDER IN
CRL MP(MD) No.9534 of 2016
IN
CRL A(MD) No.360 of 2016
Date :25/10/2016