



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

Wednesday, the Fifteenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL MP (MD) No.2211 of 2017
IN
CRL RC (MD) No.251 of 2017

MUTHUKARUPPAN

... PETITIONER/APPELLANT

Vs

1 STATE, REP. BY
THE INSPECTOR OF POLICE,
MATHUR POLICE STATION,
PUDUKKOTTAI DISTRICT.
(CRIME NO.14 OF 2010)

2 RAJENDRAN

... 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 of Imprisonment imposed by the learned Additional District and Sessions Judge / Presiding Officer, Special Court for EC and NDPS Act Cases, Pudukkottai in Crl.a.No.6 of 2015 by the Judgment dated 27.02.2017, reversing the order of acquittal dated 12.11.2014 passed by the learned District Munsif-cum-Judicial Magistrate, Keeranur in C.C.No.159 of 2010 and enlarge the Petitioner/Appellant, pending disposal of the above said Crl.R.C. (MD)No.251 of 2017 and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.D.RAMESH KUMAR, Advocate for the petitioner and of MR.P.KANDASAMY, Government Advocate (Crl.side) on behalf of the 1st Respondent the court made the following order:-

The petitioner challenge the legality and propriety of the conviction and sentence recorded by the Appellate Court.

2. The petitioner has been convicted and sentenced by the Appellate Court as under:

Conviction	Sentence
Section 4 of Tamil Nadu Prohibition of Harassment Act, 2002	3 years R.I. + Fine Rs.10,000/-, i/d 6 months S.I.

3.The revision petitioner was convicted in Crl.A.No.6 of 2015 by the Additional District and Sessions Judge / Presiding Officer, Special Court for EC and NDPS Act case, Pudukkottai.



4.The learned counsel for the petitioner submitted that there are very many legal infirmities in the conviction recorded by the Appellate Court and they are required to be revised. There is prima facie case in favour of the petitioner. He also submitted that the fine amount was paid by the petitioner.

5.The learned Government Advocate (Crl.side) submitted that the Appellate Court has rightly convicted the petitioner and on perusal of evidence adduced by the prosecution there is no prima facie case in favour of the petitioner herein. However, he has no serious objection for suspending the sentence.

6.Perusing the impugned judgments and the materials on record, I am of the view that certain eminently arguable points are involved in this criminal revision. They are required to be examined in detail in the main criminal revision. It will take some time for the disposal of this criminal revision. I see prima facie case. I am inclined to grant revision bail to the petitioner.

7. In view of the foregoing, ordered as under:

- (i) Revision bail granted.
- (ii) Sentence of imprisonment ordered by the Appellate Court alone is suspended.
- (iii) There shall be two sureties, and the petitioner shall execute a bond for Rs.10,000/- (Rupees ten thousand only) each to the satisfaction of the learned District Munsif cum Judicial Magistrate, Keeranur.
- (iv) The petitioner shall appear before the concerned Court on the first working day of every month at 10.30 a.m., until further orders.

sd/-

15/03/2017

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, KEERANUR.
- 2 THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.
- 3 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE/PRESIDING OFFICER,
SPECIAL COURT FOR EC AND NDPS ACT CASE, PUDUKKOTTAI.
- 4 STATE, REP. BY
THE INSPECTOR OF POLICE,
MATHUR POLICE STATION, PUDUKKOTTAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to M/S.D.RAMESH KUMAR Advocate SR.No.14797

ORDER

IN

CRL MP(MD) No.2211 of 2017

IN

CRL RC(MD) No.251 of 2017

Date :15/03/2017