



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

Thursday, the Eighteenth day of May Two Thousand Seventeen

PRESENT

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

CRL MP(MD) No.4016 of 2017
IN
CRL RC(MD) No.402 of 2017

HEARTIN LOURDURAJ ... PETITIONER/REVISION PETITIONER/
APPELLANT/ACCUSED.

Vs

S.SHANTHA ... RESPONDENT/REVISION 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 execution of sentence in CA.No.34 of 2016 dated 24.01.2017 on the file of the learned Principal Sessions Judge, Trichirappalli Division, Trichirappalli confirming the Judgment of the learned Judicial Magistrate, Manapparai Trichy District n STC.No.237 of 2015 dated 11.07.2016.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.A.JOEL PAUL ANTONY, Advocate for the petitioner the court made the following order:-

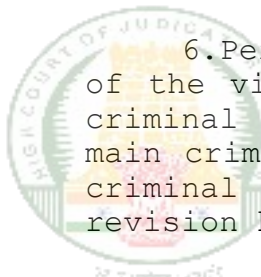
The petitioner challenges the legality and propriety of the conviction and sentence recorded by the Trial Court as well as by the Appellate Court.

2.The revision petitioner is the accused in S.T.C.No.237 of 2015 on the file of the Judicial Magistrate Court, Manapparai, Trichy District.

3.The learned Principal Sessions Judge, Trichiraappali Division, Trichirappalli, confirmed the conviction and sentence and dismissed the Criminal Appeal No.34 of 2016.

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

5.I have anxiously considered the submissions, perused the averments and the evidence on record, impugned Judgment of the Courts below.



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.

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

- (i) Revision bail granted.
- (ii) Sentence of imprisonment ordered by the Trial Court as confirmed by the Appellate Court alone is suspended.
- (iii) There shall be two sureties, they and the petitioner shall execute a bond for Rs.10,000/- (Rupees ten thousand only) each to the satisfaction of the learned learned Judicial Magistrate, Manapparai, Trichy District.
- (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/-
18/05/2017

/ TRUE COPY /

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

TO

1. THE PRINCIPAL SESSIONS JUDGE,
TRICHIRAPPALLI DIVISION, TRICHIRAPPALLI.
 2. THE JUDICIAL MAGISTRATE, MANAPPARAI.
 3. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHIRAPPALLI.
- +1. C.C. to M/S.A.JOEL PAUL ANTONY Advocate SR.No.22229

ORDER
IN
CRL MP (MD) No.4016 of 2017
IN
CRL RC (MD) No.402 of 2017
Date :18/05/2017

MS/PN/SAR.3/22.05.2017/2P.5C