



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

Wednesday, the Twelfth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.SELVAM
and

The Hon`ble Mr.Justice N.AUTHINATHAN

CRL MP(MD) No.464 of 2017
IN
CRL A(MD) No.14 of 2017

C.MANIKANDAN

... PETITIONER/APPELLANT/
2nd ACCUSED

Vs

THE DEPUTY SUPERINTENDENT OF POLICE,
KULITHALAI SUB DIVISION, KULITHALAI,
KARUR DISTRICT

... RESPONDENT/RESPONDENT/
COPLAINANT

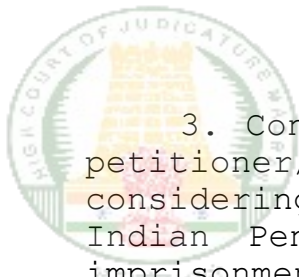
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence of the imprisonment imposed on the appellant by the learned Fast Track Mahila Court, Karur in S.C.No.07/2015 in order dated 08.12.2016 and release the accused on bail pending disposal of the appeal

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

[Order of the Court was made by A.SELVAM, J.]

This petition has been filed praying to suspend the substantive sentence imposed against the petitioner in Sessions Case No.7 of 2015 dated 08.12.2016 by the trial Court and also release the petitioner on bail.

2. It is averred in the petition that the petitioner has been arrayed as second accused in Sessions Case No.7 of 2015, wherein he faced a charge under Section 414 of the Indian Penal Code. The trial Court after considering the evidence available on record has found the petitioner/second accused guilty under the said section and sentenced him to undergo three years simple imprisonment. Against the conviction and sentence passed by the trial Court, the petitioner as appellant has preferred Crl.A(MD)No.14 of 2017 and in order to suspend the sentence and also for getting bail, the present petition has been filed.



3. Considering the fact that in Sessions Case No.7 of 2015 the petitioner/appellant has been arrayed as second accused and also considering that he has been found guilty under Section 414 of the Indian Penal Code and sentenced to undergo three years simple imprisonment and no fine has been imposed, this Court is inclined to pass the following order:

4. In fine, this petition is allowed. The sentence imposed in Sessions Case No.7 of 2015 alone is suspended till the disposal of Crl.A(MD)No.14 of 2017. The petitioner will be released on bail on executing a bond to the tune of Rs.5,000/- and two sureties each for the likesum to the satisfaction of Judicial Magistrate No.II, Kuzhithalai.

sd/-
12/04/2017

/ TRUE COPY /

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

TO

- 1 THE JUDGE
FAST TRACK MAHILA COURT, KARUR
- 2 THE JUDICIAL MAGISTRATE NO.II, KUZHITHALAI
- 3 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT
- 4 THE DEPUTY SUPERINTENDENT OF POLICE,
KULITHALAI SUB DIVISION, KULITHALAI,
KARUR DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. C.C. to M/S.S.MUTHUKRISHNAN Advocate SR.No.20060

SM:PM-PN:SAR 4:17.4.2017:2P/7C

ORDER
IN
CRL MP (MD) No.464 of 2017
IN
CRL A (MD) No.14 of 2017
Date :12/04/2017