

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twelfth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice C.T.SELVAM

and

The Hon`ble Mr Justice M.NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.6061 of 2018

IN

CRL A.254/2018

VIDHYA

[APPELLANT/ACCUSED]

Vs

STATE THROUGH

[RESPONDENT/COMPLAINANT]

THE INSPECTOR OF POLICE,
TALLY POLICE STATION,
KRISHNAGIRI DISTRICT.
IN CRIME NO.193 OF 2009.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.A.No.254 of 2018 on the file of the High Court, the High Court will be pleased to suspend the sentence and fine amount and release the petitioner on bail pending disposal of this criminal appeal before this Honble Court against the judgment in S.C.No.93 of 2010 on the file of the Honble Additional District and Sessions Judge Hosur, dated 14.11.2016 against the appellant/accused.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.254 of 2018 on the file of the High Court and upon hearing the arguments of M/S.P.PALANIKUMAR, Advocate for the petitioner and of MR.R.PRATHAP KUMAR Additional Public Prosecutor on behalf of the Respondent the court made the following order:-

(Order of the Court was made by **C.T.SELVAM, J**)

Petitioner was convicted for offence u/s.302 IPC and sentenced to undergo Life imprisonment and fine of Rs.2,000/- i/d one year R.I by learned Additional District and Sessions Judge, Hosur, Krishnagiri District, under judgment dated 14.11.2016 in S.C.No.93 of 2010. Hence, petitioner seeks suspension of sentence.

2. Learned counsel for petitioner would submit that the petitioner is confined at Special Prison for Women, Vellore and there are several infirmities and inconsistencies found in the prosecution case. It is contended that there are contradictions in the material particulars between the evidence of the prosecution witnesses. Learned counsel submits that fine amount has not been paid by the petitioner.

3. Heard learned Additional Public Prosecutor on the submissions made by learned counsel for petitioner.

4. Considering the facts and circumstances of the case and in view of the fact that the petitioner has been in custody, that there are several infirmities in the prosecution case and there are arguable points involved in the appeal, as contended by learned counsel for petitioner, and further the appeal is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

5. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail on condition that the petitioner shall execute a bond in a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the Additional Sessions Court, Hosur, and on further condition that the petitioner shall appear before the said Court on the first working day of every month at 10.30.a.m. pending appeal.

-sd/-

12/10/2018

सत्यमेव जयते

This order, on being produced, be punctually observed and carried into execution by all concerned

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TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

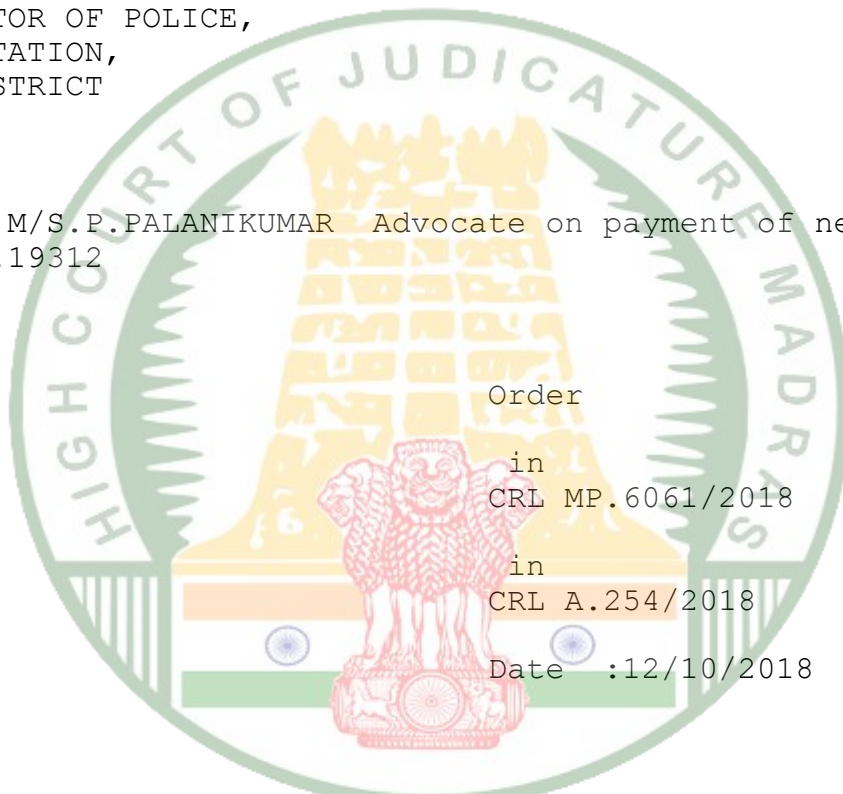
1 THE ADDITIONAL DISTRICT
AND SESSIONS COURT, HOSUR

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
WOMEN SPECIAL PRISON, VELLORE

4 THE INSPECTOR OF POLICE,
TALLY POLICE STATION,
KRISHNAGIRI DISTRICT

+1C.C. to M/S.P.PALANIKUMAR Advocate on payment of necessary
charges SR.NO.19312



From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

cm 12/10/2018

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