



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

Monday, the Nineteenth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL MP(MD) No.1173 AND 1174 of 2018
IN
CRL RC(MD) No.93 of 2018

1 A.SWAMINATHAN
2 MANGAYARKARASI
3 AVUDAIAPPAN

... REVISION PETITIONERS/
RESPONDENTS/ACCUSED 1-3
IN CRL MP(MD)NO.1173/2018 IN CRL RC(MD)NO.92/2018
...PETITIONERS/REVISION PETITIONERS
IN CRL MP(MD)NO.1174/2018 IN CRL RC(MD)NO.92/2018

Vs

STATE THROUGH,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, TUTICORIN,
TUTICORIN DISTRICT,
IN CR.NO.9 OF 2008

... RESPONDENT/APPELLANT/
COMPLAINANT
IN CRL MP(MD)NO.1173/2018 IN CRL RC(MD)NO.92/2018
...RESPONDENT/COMPLAINANT
IN CRL MP(MD)NO.1174/2018 IN CRL RC(MD)NO.92/2018

Prayer in CRL MP(MD). 1173/ 2018 IN CRL RC(MD) No.93 of 2018 :

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased To Suspend the Substantial portion of Sentence alone and enlarge the petitioners on bail in C.A.No.53 of 2015 dated 25.01.2018 on the file of I Additional District and Sessions Judge, confirming and some extent modifying the judgment in C.C.No.383 of 2008 dated 16.10.2015 on the file of the Judicial Magistrate No.I, Tuticorin in respect of this Petitioners pending disposal of this Criminal Revision.

Prayer in CRL MP(MD). 1174/ 2018 :

To exempt the petitioners from surrendering in pursuance of Judgment dated 25.01.2018 in C.A.No.53 of 2015 on the file of the Learned I Additional District and Sessions Judge, Thoothukudi 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.S.MUTHALRAJ, Advocate for the petitioners and of MRS.S.BHARATHY, Government Advocate (Crl.Side) for the Respondent while admitting the Crl.Rc the court made the following order:-

It is seen that both Courts below have found sufficient materials to Convict and sentence the petitioners/Appellants herein. This is a case, the victim is a woman. In such circumstances this Court is of the view that this is not a fit case in which he exemption can be granted to the petitioners from surrendering.

Accordingly, these petitions are dismissed and the petitioners are directed to surrender and thereafter file a fresh petition for suspension of sentence. The Trial Court is directed to issue committal warrant.

sd/-
19/02/2018

/ TRUE COPY /

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

TO

- 1 THE 1ST ADDITIONAL DISTRICT AND SESSIONS JUDGE, THOOTHUKUDI
- 2 THE JUDICIAL MAGISTRATE NO.1 TUTICORIN
- 3 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, TUTICORIN,
TUTICORIN DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.S.MUTHALRAJ Advocate SR.No. 2726

GJM/RR/SAR-3-21.2.18-2P-7C

ORDER
IN
CRL MP (MD) No.1173 &1174 of 2018
IN
CRL RC (MD) No.92 of 2018
Date :19/02/2018