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

Monday, the Twenty Sixth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL MP(MD) Nos.2326 & 2327 of 2018
IN
CRL RC(MD) No.172 of 2018

RAJASEKAR ... PETITIONER/PETITIONER IN BOTH THE PETITIONS

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
MAMSAPURAM CIRCLE,
IN VANNIAMPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
IN CRIME NO.266 OF 2009. ... RESPONDENT/RESPONDENT IN BOTH THE PETITIONS

Prayer in CRL MP(MD).2327/2018 IN CRL RC(MD)No.172/2018 :
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed by the Court of the Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur in Crl.A.No.19 of 2011 dated 15.11.2017 in confirming the conviction and sentence imposed by the Judicial Magistrate Court No.II, Srivilliputtur in C.C.No.05 of 2010 on 31.01.2011, pending disposal of the Criminal Revision Petition and thus render justice.

Prayer in CRL MP(MD). 2327/2018 IN CRL RC(MD)No.172/2018:
To exempt the Petitioner from surrender in pursuant to the Judgment in Crl.A.No.19 of 2011 dated 15.11.2017 on the file of Court of the Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur in confirming the order passed by the Judicial Magistrate Court No.II, Srivilliputtur in C.C.No.05 of 2010 on 31.01.2011, pending disposal of the Criminal Revision Petition and thus render justice.

Order : These petitions coming on for orders upon perusing the petitions filed in support thereof and upon hearing the arguments of M/S.M.JOTHI BASU, Advocate for the petitioner in both the petitions and of M/S.S.BHARATHI, Government Advocate (Crl.Side) on behalf of

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the Respondents in both the petitions, the court made the following order:-

Since two persons have lost their lives, this court is of the view that suspension of sentence can be granted only when the accused surrenders before the Trial Court.

Hence, these petitions are dismissed with liberty to the petitioner to file fresh suspension of sentence petition after surrendering before the Trial Court.

sd/-
26/03/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISRATE NO.II,
SRIVILLIPUTTUR

2 DO THROUGH THE CHIEF JUDCIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3 THE INSPECTOR OF POLICE,
MAMSAPURAM CIRCLE, IN VANNIAMPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.2326 of 2018
IN
CRL RC(MD) No.172 of 2018
Date :26/03/2018

PK/RR-CSL/SAR-1/03.04.2018 : 2P/5C

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