



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2018

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CORAM:
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.R.C.(MD)No.126 of 2018

1.Udaiyar @ Sattaiudaiyar
2.Mangala @ Karuppasamy : Petitioners

Vs.

State rep. by
Sub Inspector of Police,
Karivalamvanthanallur Police Station,
Tirunelveli District.
Crime No.179 of 2012. : Respondent

PRAYER: Criminal Revision Case is filed under Sections 397 and 401 of the Criminal Procedure Code praying to call for the records relating to the impugned order of the learned Principal Sessions Judge, Tirunelveli passed in Cr.M.P.No.153 of 2018 in Crl.A.No.3 of 2018 in S.C.No.351 of 2015, dated 06.01.2018, set aside the same and allow this revision petition.

For Petitioners : Mr.R.J.Karthick
For Respondent : Mrs.S.Bharathi,
Government Advocate (Crl.side)

ORDER

The petitioners were convicted in S.C.No.351 of 2015 by the learned Assistant Sessions Judge, Sankarankovil on 22.12.2017 for the offences under Sections 341, 294(b) and 307 of the Indian Penal Code and have been sentenced to undergo the maximum imprisonment of seven years. Challenging the conviction and sentence, the petitioners filed Crl.A.No.3 of 2018 before the learned Principal Sessions Judge, Tirunelveli and by Cr.M.P.No.153 of 2018, prayed for suspension of sentence and bail, which has been dismissed by the learned Judge on 06.01.2018. Aggrieved by the order, the petitioners have filed the present Criminal Revision Case.

2. In the considered opinion of this Court, an order of dismissal of application for suspension of sentence and bail is not a final order and is only an interlocutory order and, therefore, no revision is maintainable in view of the bar under Section 397(2) of the Code of Criminal Procedure. It is open to the petitioners to work out their remedy in the manner known to law.



3. With the above observation, this Criminal Revision Case is closed.

Sd/
Assistant Registrar (CO)

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Sub Assistant Registrar

To

1.The Principal Sessions Judge,
Tirunelveli.

2.The Sub Inspector of Police,
Karivalamvanthanallur Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.J.Karthick, Advocate, SR.No.53723

Cr1.R.C. (MD) No.126 of 2018
07.03.2018

SML
KK/JC/21.03.2018/SAR-1/2P-5C