



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

Friday, the Second day of March Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Dr.Justice S.VIMALA
and
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CRL MP(MD) No.8139 of 2017
IN
CRL A(MD) No.349 of 2017

THANGAMAYAN,

... PETITIONER/APPELLANT/
ACCUSED No.3

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
THIDEERNAGAR POLICE STATION,
MADURAI.
(CRIME NO.2135 OF 2010)

... RESPONDENT/RESPONDENT/
COMPLAINANT

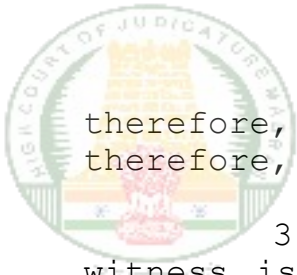
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed on the petitioner / appellant /accused No.3 by the Learned I Additional District and Sessions Judge, Madurai in S.C.No.301 of 2014 dated 20.12.2016 and enlarge them on bail, pending disposal of the above Criminal Appeal 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 MR.T.MOHAN for M/S.M.JEGADEESH PANDIAN, Advocate for the petitioner and of MR.K.S.DURAI PANDIAN, Additional Public Prosecutor for the respondent, the court made the following order:-

(Order of the Court was made by S.Vimala,J.,)

This petition has been filed under Section 389 Cr.P.C, seeking to suspend the sentence imposed on the third accused on whom life imprisonment with fine of Rs.5,000/- in default to undergo one year R.I. has been imposed in respect of the offence under Section 302 IPC.

2. The main contention raised is that, the prosecution relies upon the evidence of interested witnesses of the victim and



therefore, the conviction is based on unreliable evidence and therefore, suspension of sentence has to be ordered.

3. Needless to point out that even the evidence of a single witness is enough, if it inspires the confidence of the Court and just because witnesses are friends or relatives, it cannot be discarded on that ground and it may require deeper scrutiny. Therefore, the suspension sought for cannot be granted and the petition is dismissed.

sd/-
02/03/2018

/ TRUE COPY /

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

TO

- 1 THE I ADDITIONAL DISTRICT AND
SESSIONS JUDGE, MADURAI
- 2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI
- 3 THE INSPECTOR OF POLICE,
THIDEERNAGAR POLICE STATION, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL MP (MD) No.8139 of 2017
IN
CRL A (MD) No.349 of 2017
Date :02/03/2018

SMA/CSL/SAR-3/07.03.2018:2P/5C