



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

Wednesday, the First day of August Two Thousand Eighteen

PRESENT

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

and

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL MP(MD) No.5405 of 2018

IN

CRL A(MD) No.310 of 2018

NAGENDRAN

... PETITIONER/ APPELLANT/
SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
PUDUKKOTTAI, PUDUKKOTAI DISTRICT.
CRIME NO.380/2013

... RESPONDENT/ RESPONDENT/
COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed in Judgement dated 26/06/2018 made in S.C.No.16/2014 on the file of the Additional District and Sessions Court cum Special Court for EC Act, Pudukkottai and enlarge him on bail pending disposal of the above Crl.A.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.C.MAYILVAHANA RAJENDRAN, Advocate for the petitioner and of Mr.S.CHANDRASEKAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

[Order of the Court made by **C.T.SELVAM, J.,**]

Petitioner is arrayed as the sole accused in S.C.No.16 of 2014, on the file of the Additional District and Sessions Court cum Special Court for E.C Act, Pudukkottai and under Judgment dated 26.06.2018 he has been convicted and sentenced as follows:

Offence	Sentence
302 IPC	To undergo life imprisonment and also to pay fine sum of Rs.2000/- in default to undergo three months imprisonment



Petitioner has come forward with the above Miscellaneous Petition, seeking relief of suspension of sentence pending appeal.

2. The case of the prosecution is that due to previous enmity, the deceased was done to death by the accused by attacking with centric board. Case was registered in Crime No.380 of 2013, on the file of the respondent police and the same on completion of investigation, filing of final report and on committal was tried by the Special Court for EC Act, Pudukkottai, in S.C.No 16 of 2014 and under Judgment dated 26.06.2018, the accused was convicted for the offences, stated supra.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Considering the facts and circumstances of the case and the submission of both sides and also considering that the appeal is not likely to be heard in the near future, this Court considers it appropriate to suspend the substantive portion of sentence imposed on the petitioner.

6. Accordingly, the present Miscellaneous Petition is allowed and substantive sentence of imprisonment alone is suspended in respect of the petitioner/accused and he is directed to be enlarged on bail on condition that he 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 Judicial Magistrate, Pudukkottai, and on further condition that petitioner shall report before the said Court on the first working day of every English Calendar month at 10.30 a.m. pending appeal.

sd/-
01/08/2018

/ TRUE COPY /

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

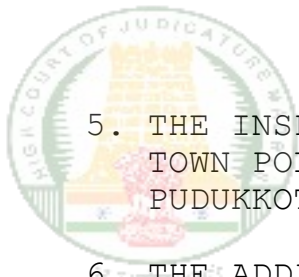
TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE
CUM SPECIAL JUDGE FOR EC ACT, PUDUKKOTTAI.

2. THE JUDICIAL MAGISTRATE, PUDUKKOTAI.

3. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTAI DISTRICT.

<https://hcservices.courts.gov.in/hcservices/>
4. THE SUPERINTENDENT, CENTRAL PRISON,
TRICHY.



5. THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
PUDUKKOTTAI, PUDUKKOTAI DISTRICT.

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

+1. C.C. to Mr.C.MAYILVAHANA RAJENDRAN Advocate SR.No.14728

ORDER

IN

CRL MP (MD) No.5405 of 2018

IN

CRL A (MD) No.310 of 2018

Date :01/08/2018

MS/PN/SAR-4/03.08.2018/3P.8C