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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.4496 of 2018
IN
CRL A(MD) No.278 of 2018

1 SARAVANAKUMAR ALIAS KUMAR
2 DHINESH BABU

... PETITIONERS/ APPELLANTS

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THIRUPALAIKUDI POLICE STATION,
THIRUPALAIKUDI, RAMNAD DISTRICT.

... RESPONDENT/ RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence passed in S.C.No.126/2015 on the file of Additional District and Sessions Judge, Ramnad dated on 01/11/2017 pending disposal of the above said appeal.

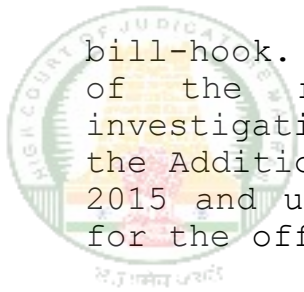
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.R.SUNDAR, Advocate for the petitioner and of Mr.R.ANANDRAJ, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

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

Petitioners are arrayed as the accused No.1 and 2 accused in S.C.No.126 of 2015, on the file of the Additional District and Sessions Court, Ramnad and under Judgment dated 1.11.2017 they have been convicted and sentenced as follows:

Offence	Sentence
302 r/w 34 IPC	To undergo imprisonment for life and to pay a fine of Rs.5000/- each, in default to undergo 1 year simple imprisonment each.

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



bill-hook. Case was registered in Crime No.52 of 2015, 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 Additional District and Sessions Judge, Ramnad, in S.C.No.126 of 2015 and under Judgment dated 1.11.2017 the accused were convicted for the offence, stated supra.

3. Heard the learned counsel appearing for the petitioners 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.

5. Accordingly, the present Miscellaneous Petition is allowed and substantive sentence of imprisonment alone is suspended in respect of the petitioners/accused No.1 and 2 and they are directed to be enlarged on bail on condition that they shall execute a separate 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 learned Judicial Magistrate No.1, Ramnad, and on further condition that petitioners 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

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

TO

1. THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, RAMNAD.
2. THE JUDICIAL MAGISTRATE NO.1, RAMNAD.
3. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMNAD DISTRICT.
4. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
5. THE INSPECTOR OF POLICE, THIRUPALAIKUDI POLICE STATION, THIRUPALAIKUDI, RAMNAD DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to Mr.R.SUNDAR Advocate SR.No.14629

ORDER IN
CRL MP(MD) No.4496 of 2018
IN
CRL A(MD) No.278 of 2018
Date :01/08/2018