



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

Monday, the Twenty Ninth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP(MD) No.8726 and 8727 of 2018

IN

CRL RC(MD) No.593 of 2018

MUTHURAMAN

... PETITIONER/PETITIONER
IN BOTH THE PETITIONS

Vs

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
FORT POLICE STATION, TIRUCHIRAPPALLI,
IN CRIME NO. 910 OF 2015,
TRICHY DISTRICT.

... RESPONDENT/RESPONDENT
IN BOTH THE PETITIONS

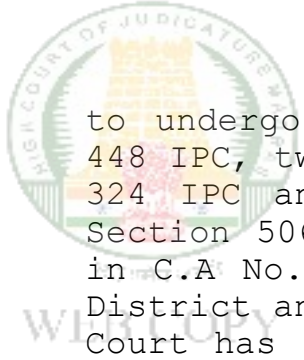
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the execution of sentence in C.A.NO.39 of 2018 dated 26/09/2018 on the file of the Learned II Additonal District and SEssions Judge, Tiruchirappalli confirming the judgement of the learned Judicial Magistrate NO.I, Tiruchirappalli in C.C.NO.333 of 2015 dated 15/02/2018, pending disposal of the Criminal Revision Petition and thus render justice.

Prayer in CRL MP(MD). 8727/ 2018 in CRL RC(MD) No.593 of 2018 :

To exempt the petitioner to surrender before the court to take the judgement of the Appellate Court in C.A.No.39 of 2018 dated 26/09/2018 on the file of the Learned II Additional District and SEssions JUDGE, Tiruchirappalli wherein he has confirmed the Judgment of the Learned Judicial Magistrate NO.I, Tiruchiappalli in C.C.NO.333 of 2015 dated 15/02/2018 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.N.ANANTHAPADMANABAN, Advocate for the petitioner in both the petitions and of MR.A.ROBINSON, Government Advocate (Crl.Side) on behalf of the Respondent in both the petitions, While admitting the Crl.RC., the court made the following order:-

The petitioner is the sole accused in C.C.No.333 of 2015 on the file of the learned Judicial Magistrate No.I, Tiruchirappalli. By judgment dated 15.02.2018, he has been found guilty and sentenced



to undergo one year Simple imprisonment for offence under Section 448 IPC, two years simple imprisonment for the offence under Section 324 IPC and two years simple imprisonment for the offence under Section 506(ii) IPC. Challenging the same, he has filed an appeal in C.A No.39 of 2018 on the file of the learned Second Additional District and Sessions Judge, Tiruchirappalli and the first appellate Court has confirmed the order of the court below by judgment dated 26.09.2018. Challenging the same, the petitioner is before this Court with CrI.R.C.(MD) No.593 of 2018. Pending disposal of the same, the petitioner has come forward with these petitions seeking exemption to the petitioner from surrendering before the trial Court and suspension of substantive sentence of imprisonment.

2. Heard the learned counsel appearing for the petitioner and also perused the records carefully.

3. Since certain arguable points have been raised by the learned counsel for the petitioner, this Court is inclined to exempt the petitioner from surrendering before the Trial Court and also ordered suspension the sentence till the disposal of the revision.

4. Accordingly, these petitions are allowed and the substantive sentence of imprisonment imposed on the petitioner is suspended and the petitioner is directed to be enlarged on bail, on the following conditions:

The petitioner shall execute a bond for 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.I, Tiruchirappalli and on further condition that the petitioner shall report before the trial Court on the first working day of every English calender month at 10.30 a.m. until further orders.

sd/-
29/10/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,
TIRUCHIRAPPALLI.

2 -DO- THROUGH THE CHIEF

<https://hcservices.ecourts.gov.in/hcservices/>
JUDICIAL MAGISTRATE, TIRUCHIRAPPALLI.



3 THE II ADDITIOANL DISTRICT AND
SESSIONS JUDGE, TIRUCHIRAPPALLI.

4 THE SUB INSPECTOR OF POLICE,
FORT POLICE STATION, TIRUCHIRAPPALLI,
TRICHY DISTRICT.

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

+1. C.C. to M/S.N.ANANTHAPADMANABAN, Advocate SR.No. 20485

ORDER
IN
CRL MP(MD) No.8726 and 8727 of 2018
IN
CRL RC(MD) No.593 of 2018
Date :29/10/2018

JM/VR MMS/SAR 4/08.11.2018/3P/7C