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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.5616 of 2018
IN CRL A(MD) No.322 of 2018

VELUSAMY

... APPELLANT/ SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
IN CRIME NO.334 OF 2008

... 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 passed in SC No. 143 of 2009 dated 10.07.2018 on the file of Principal District and Session Court, Virudhunagar District, Srivilliputtur enlarge the petitioner/Single Accused on bail pending disposal of the above Appeal

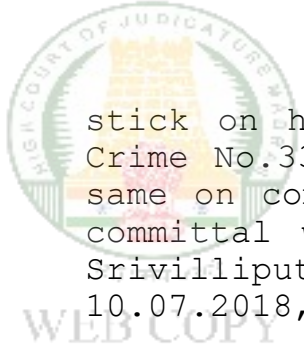
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.N.R.ELENGO, Senior Counsel for Mr.N.MOHIDEEN BASHA, Advocate for the petitioner and of Mr.S.CHANDRASEKARAN, Additional Public Prosecutor on behalf of the Respondent, the 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.143 of 2009, on the file of the Principal District and Sessions Court, Srivilliputtur, and under Judgment dated 10.07.2018 he has been convicted and sentenced as follows:

Offence	Sentence
302 IPC	To undergo life imprisonment and also to pay fine sum of Rs.10,000/- in default to undergo one year simple imprisonment

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



stick on his head, due to which, he died. Case was registered in Crime No.334 of 2008, 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 Principal District and Sessions Court, Srivilliputtur, in S.C.No.143 of 2009 and under Judgment dated 10.07.2018, the accused was convicted for the offence, 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, Sivakasi, 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 PRINCIPAL DISTRICT AND SESSION JUDGE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.
2. THE JUDICIAL MAGISTRATE, SIVAKASI.
3. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.
4. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
5. THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION, VIRUDHUNAGAR DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to Mr.N.MOHIDEEN BASHA Advocate SR.No.14644

ORDER IN

CRL MP(MD) No.5616 of 2018
IN

CRL A(MD) No.322 of 2018

Date :01/08/2018