



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

Tuesday, the Twenty Fifth day of September Two Thousand and Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL MP(MD) No.6806 of 2018

IN

CRL A(MD) No.390 of 2018

PETCHIAMMAL

... PETITIONER / APPELLANT / ACCUSED NO.3

Vs

STATE THROUGH,
THE DEPUTY SUPERINTENDENT OF POLICE,
THIRUPPARANKUNDRAM SUB DIVISION,
MADURAI DISTRICT,
THIRUNAGAR POLICE STATION.
(IN CRIME NO.431/2007)

... RESPONDENT / RESPONDENT / COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to pass an Interim order pending disposal of the Criminal Appeal, suspending the execution of sentence passed in S.C.No.14/2010 dated 04/07/2018 on the file of the Learned Mahalir Neethimandram, Madurai and thereby enlarge the petitioner/appellant/ accused No.3 on bail to the satisfaction of the Trail court.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.T.K.GOPALAN, Advocate for the petitioner and of Mr.M.CHANDRA SEKARAN, Additional Public Prosecutor for the Respondent, the court made the following order:-

The petitioner in this petition is the mother-in-law of the deceased. The petitioner faced trial for offences under Sections 498 (A) and 304(B) of IPC. The learned Sessions Judge, Mahila Court, Madurai by a judgment dated 04.07.2018 made in S.C.No.14 of 2010 has convicted this petitioner and her son Muthukrishnan for offences under sections 498(A) and 304(B) of IPC and has imposed a sentence of one year and fine of Rs.5000/- I/d three months simple imprisonment insofar as the offence under section 498(A) of IPC is concerned and Rigorous Imprisonment for a period of 10 years and fine of Rs.10,000/- I/d to under go Simple Imprisonment for two years for offence under section 304(B) of IPC.

2. The learned counsel for the petitioner has raised various grounds in this appeal in order to challenge the judgement of the



court below. It will take some more time to hear the criminal appeal finally. The petitioner is aged about 61 years and has been inside the prison from 04.07.2018.

3. This Court is able to find merits in the grounds raised in the Criminal appeal.

4. In the facts and circumstances of the case, the sentence imposed by the learned Sessions Judge, Mahalir Neethimandram, Madurai in S.C.No.14 of 2010 dated 14.07.2018 is hereby suspended pending disposal of the criminal appeal and the petitioner is directed to be enlarged on bail on the following conditions:

a) The petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen thousand only) imposed as cost by the Court below

b) The petitioner shall execute a bond for a sum of Rs.5,000/- to the satisfaction of the trial court with one surety for a likesum.

c) The petitioner shall report before the trial court once in three months on every first working day pending disposal of the criminal appeal.

sd/-
25/09/2018

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

TO

1. THE JUDGE,
MAHALIR NEETHIMANDRAM, MADURAI.

2. THE SUPERINTENDENT,
WOMEN CENTRAL PRISON, MADURAI.

3. THE DEPUTY SUPERINTENDENT OF POLICE,
THIRUPPARANKUNDRAM SUB DIVISION,
MADURAI DISTRICT, THIRUNAGAR POLICE STATION.

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

ORDER
IN
CRL MP (MD) No.6806 of 2018
IN
CRL A (MD) No.390 of 2018
Date : 25/09/2018