



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

Monday, the Twenty Fourth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL MP(MD) No.7294 of 2018
IN
CRL A(MD) No.426 of 2018

1 CHINNAKODI
2 KAMAYEE

... APPELLANTS/ ACCUSED 1 & 2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
USILAMPATTI CIRCLE, MADURAI.
CRIME NO.138/2010

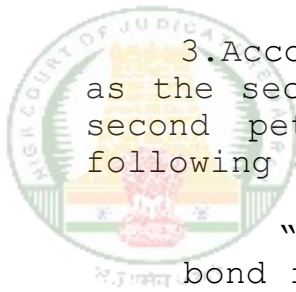
... RESPONDENT/ COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence made in Sessions Case No.334/2012 dated 16/08/2018 on the file of Sessions Judge, Mahila Court, Madurai 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.M.SURESH KUMAR, Advocate for the petitioners and of Mr.M.CHANDRASEKAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

The suspension of sentence petition filed by the first petitioner is dismissed for the present and the first petitioner is at liberty to revive this petition at a later date. Insofar as the second petitioner is concerned, she is the mother-in-law of the deceased. In this case, initially there were four accused persons. A3, A4 were acquitted by the Court below and only the husband and mother-in-law were convicted for offences under Sections 498A, 406 and 306 IPC. Insofar as the offence under Section 4 of the Dowry Prohibition Act is concerned, all the accused persons were acquitted. The learned counsel for the petitioners raised lot of grounds in order to substantiate the innocence of these petitioners.

2.This Court is not in a position to take up this Criminal Appeal immediately and it will take some more time to hear this case finally. The second petitioner is aged more than 67 years. Therefore, this Court deems it fit to entertain this petition for suspension of sentence insofar as the second petitioner is concerned.



3. Accordingly, the sentence imposed by the Court below, insofar as the second petitioner is concerned, is hereby suspended and the second petitioner is directed to be enlarged on bail, on the following conditions:

"(a) the second petitioner is directed to execute a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Madurai and on further condition that the second petitioner shall report before the trial Court once in three months during the first working day at 10.30 am., pending disposal of the Criminal Appeal."

sd/-
24/09/2018

/ TRUE COPY /

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

TO

1 THE SESSIONS JUDGE, MAHILA COURT,
MADURAI.

2 THE JUDICIAL MAGISTRATE NO.I, MADURAI.

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

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

5 THE INSPECTOR OF POLICE,
USILAMPATTI CIRCLE, MADURAI.

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

+1. C.C. to Mr.M.SURESH KUMAR Advocate SR.No.18169

ORDER
IN
CRL MP(MD) No.7294 of 2018
IN
CRL A(MD) No.426 of 2018
Date :24/09/2018

MS/VR-MMS/SAR-2/25.09.2018/2P.8C