



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

Monday, the Twenty Ninth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL MP (MD) No.8026 of 2018

IN

CRL A (MD) No.462 of 2018

JEYAKUMAR

... PETITIONER/ APPELLANT

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
VANGAL POLICE STATION, KARUR.
CRIME NO.86/2014

... RESPONDENT/ RESPONDENT

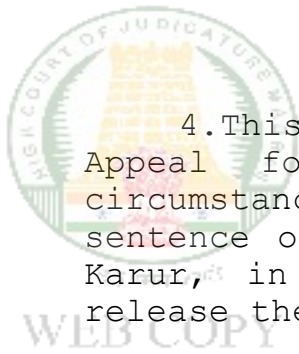
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to uspend the substantive sentence rendered by Additional Sessions Judge/Fast Track Mahila Court, Karur in S.C.No.55/2018 by the order dated 28/09/2018 pending disposal of the above Crl.A.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.N.ANANTHAPADMANABHAN, Advocate for M/S.APN LAW ASSOCIATE, for the petitioner and of Mr.K.SUYAMBULINGA BHARATHI, Government Advocate (Crl.Side) on behalf of the Respondent, the court made the following order:-

The petitioner faced the trial for an offence under Section 304 B IPC before the learned Additional Sessions Judge/Fast Track Mahila Court, Karur, in S.C.No.55 of 2018 as the sole accused and was convicted and sentenced to undergo rigorous imprisonment for seven years by the judgment, dated 28.09.2018.

2.The learned counsel for the petitioner by pointing out the evidence, prima facie convinced this Court that the main reason for the suicide committed by the deceased was the alleged illicit affair between the appellant and one Sumathi. For this purpose, the learned counsel read the evidence of PW1 brother of the deceased and PW2 mother of the deceased.

3.The learned counsel for the petitioner would further submit that the ingredients of Section 304 B I.P.C has not been made out in this case. The learned counsel for the petitioner also raised several arguable points before the Court.



4.This Court is not in a position to take up the Criminal Appeal for final hearing immediately. In the facts and circumstances of the case, this Court suspends the substantive sentence of the Additional Sessions Judge/Fast Track Mahila Court, Karur, in S.C.No.55 of 2018 by Judgment, dated 28.09.2018 and release the petitioner on bail on the following conditions.

- 1.The petitioner shall execute a bond for a sum of Rs.10,000/- to the satisfaction of the trial Court with two sureties for a like sum.
- 2.The petitioner shall appear before the learned Additional Sessions Judge/Fast Track Mahila Court, Karur, every month on the first working day at 10.30 a.m., pending disposal of this Criminal Appeal.

sd/-
29/10/2018

/ TRUE COPY /

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

TO

1. THE ADDITIONAL SESSIONS JUDGE/
FAST TRACK MAHILA COURT, KARUR.
2. THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.
3. THE INSPECTOR OF POLICE,
VANGAL POLICE STATION, KARUR.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to Mr.N.ANANTHAPADMANABHAN, Advocate, SR.No.20570

ORDER
IN
CRL MP(MD) No.8026 of 2018
IN
CRL A(MD) No.462 of 2018
Date :29/10/2018

MS/PN/SAR-3/30.10.2018/2P.6C