

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice C. T. SELVAM

and

The Hon`ble Mr Justice N. SATHISH KUMAR

CRIMINAL MISCELLANEOUS PETITION No.10693 of 2017

IN CRL A.536/2017

MANI @ PERUMAL,

[PETITIONER/APPELLANT/ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
MARUVATHUR POLICE STATION,
PERAMBALUR DISTRICT.

[RESPONDENT]

[*]CR.NO.115 OF 2012.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal APPEAL No.536 OF 2017 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed in S.C.No.30 of 2013 dated 26.05.2014 on the file of Sessions Judge, Mahila Court, Perambalur and Enlarge the petitioner on bail pending disposal of the above Crl.A.No.536 of 2017.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.536 of 2017 on the file of the High Court and upon hearing the arguments of M/S.R.SANKARASUBBU, Advocate for the petitioner and of ADDL. PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

[Order of the Court was made by **C. T. SELVAM, J**]

Petitioner faced trial in S.C.No.30 of 2013 on the file of learned Sessions Judge, Mahila Court, Perambalur. Under judgment dated 26.05.2014, trial Court convicted petitioner for offence u/s.302 IPC and sentenced to life imprisonment and fine of Rs.2,000/- i/d 2 years R.I. Seeking suspension of sentence passed against him, petitioner has moved the present petition.

2. Learned counsel for petitioner would submit that petitioner is confined at Central Prison, Trichy and there are several infirmities and inconsistencies found in the prosecution case. It is contended that there are contradictions in material particulars in

the evidence of the prosecution witnesses.

3. Heard learned Additional Public Prosecutor on the submissions made by learned counsel for petitioner.

4. Considering the facts and circumstances as also the fact that it is not possible for the Court to take the Criminal Appeal in the near future and the submissions of learned counsel on either side, we are of the considered view that it is a fit case to grant the relief of suspension of sentence to petitioner herein.

Accordingly, the substantive sentence of imprisonment alone is suspended and petitioner is directed to be enlarged on bail on condition that petitioner 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 learned Judicial Magistrate, Perambalur and on further condition that petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m. pending appeal.

-sd/-

08/02/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

[*]for being mentioned as per the order of this court dated 23/04/2019 made in CRL.MP.NO.10693/2017 IN CRL.A.NO.536/2017

The Hon`ble Mr Justice M. SATHYANARAYANAN

AND

The Hon`ble Mr Justice M. NIRMAL KUMAR

TO

1 THE JUDICIAL MAGISTRATE,
PERAMBALUR.

2 THE CHIEF JUDICIAL MAGISTRATE
PERAMBALUR. [FOR INFORMATION]

3 THE SESSIONS JUDGE,
MAHILA COURT, PERAMBALUR.

4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

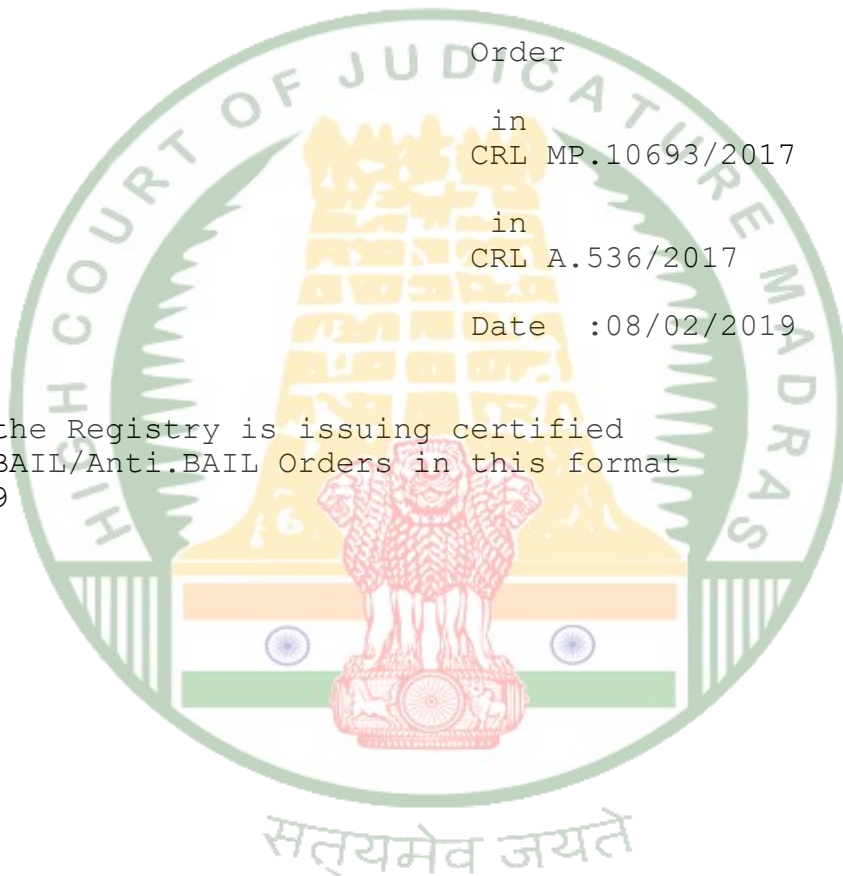
5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
MARUVATHUR POLICE STATION,
PERAMBALUR DISTRICT.

C.C. to M/S.R.SANKARASUBBU Advocate on payment of necessary
charges SR.NO. 8464

Order
in
CRL MP.10693/2017
in
CRL A.536/2017
Date :08/02/2019

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
THS : 11.02.2019
RD 06/05/2019



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