



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

Friday, the Twenty Eighth day of June Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN
and
The Hon`ble Mr Justice B.PUGALENDHI

CRL MP(MD) No.4735 of 2019
IN
CRL A(MD) No.247 of 2019

1 TAMILSELVAN
2 RAMESH @ SINGAM RAMESH

... PETITIONERS/APPELLANTS/
ACCUSED Nos.3 AND 7

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
KARIMEDU POLICE STATION,
IN CRIME NO.99/2013,
MADURAI DISTRICT

... RESPONDENT/RESPONDENT/
COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed on the Petitioners/Appellants / Accused in S.C.No.103/2014 dated 13/04/2019 on the file of the Learned Vth Additional District and Sessions Judge, Madurai and enlarge them on bail 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 M/S.AK.AZAGARSAMI, Advocate for the petitioner and of MR.S.CHANDRASEKAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

(Order of this Court was made by **M.SATHYANARAYANAN, J**)

The learned Counsel appearing for the petitioners, on instructions, seeks permission of this Court to withdraw this petition insofar as A.3 is concerned, in the light of the submission made by the learned Additional Public Prosecutor that he has also involved in one more case punishable under Section 302 I.P.C., for which the trial is going on and also made an endorsement to that effect.



2. In the light of the endorsement made, this Criminal Miscellaneous Petition is dismissed as withdrawn insofar as A.3 is concerned.

3. Insofar as A.7 is concerned, it is brought to the knowledge of this Court by the learned Counsel appearing for the petitioner that in similar facts and circumstances, in respect of A.5, this Court has considered the case in detail and vide order dated 19.06.2019 made in CrI.M.P. (MD) No.4689 of 2019 in CrI.A.(MD) No.238 of 2019 has granted the suspension of sentence and therefore, prays for appropriate orders.

4. Mr.S.Chandrasekar, learned Additional Public Prosecutor, appearing for the State, on instructions, would submit that A.7 is not having any antecedents and would aver that the points urged by the learned Counsel appearing for the petitioner /A.7 can be appreciated only at the time of final disposal of the appeal and hence, prays for dismissal of this petition.

5. This Court has carefully considered the rival submission and perused the materials placed before this Court.

6. A perusal of the order dated 19.06.2019 made in CrI.M.P. (MD) No.4689 of 2019 in CrI.A.(MD) No.238 of 2019 filed by A.5, would disclose that the petitioner/A.7 also stood on similar footing and taking into consideration the fact that he is also not having any antecedent, this Court is inclined to suspend the substantive sentences of imprisonment pending the appeal.

7. In the result, the petition is ordered and the substantive sentence of imprisonment alone in respect of the petitioner/A.7 is suspended and the petitioner/A.7 is directed to be enlarged on bail on condition that the petitioner/A.7 shall execute a bond for a sum of Rs.10,000/- [Rupees ten thousand only] with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Madurai and on further condition that the petitioner/A.7 shall stay at Villupuram and report before the Inspector of Police, Villupuram Town Police Station, daily at 11.00 a.m. until further orders.

sd/-
28/06/2019

/ TRUE COPY /

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

TO

1. THE V ADDITIONAL DISTRICT AND SESSIONS JUDGE,



2.THE JUDICIAL MAGISTRATE NO.V, MADURAI

3.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI

4.THE INSPECTOR OF POLICE
KARIMEDU POLICE STATION,
MADURAI DISTRICT

5.THE INSPECTOR OF POLICE,
VILLUPURAM TOWN POLICE STATION,
VILLUPURAM

6.THE SUPERINTENDENT
CENTRAL PRISON, MADURAI

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

ORDER
IN
CRL MP (MD) No.4735 of 2019
IN
CRL A (MD) No.247 of 2019
Date :28/06/2019

SSL
PK/VR/SAR-2/01.07.2019 : 3P/8C