



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

Thursday, the Twenty Seventh 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.5696 of 2019
IN
CRL A(MD) No.542 of 2018

1 RANJITH @ RANJITHKUMAR
2 ARIVU RAJA

... PETITIONERS/ APPELLANTS

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
DEVADHANPATTI POLICE STATION,
THENI DISTRICT.
IN CRIME NO. 371 OF 2016

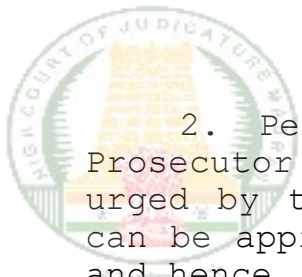
... RESPONDENT/ COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence of imprisonment imposed in Judgment dated 19.11.2018 made in S.C.No.102 of 2017 on the file of the Additional District and Sessions Judge, Theni at Periyakulam and enlarge the petitioners on bail pending disposal of the appeal.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.A.DORAISAMY, Senior Counsel for M/S.MUTHUMANI DORAISAMI, 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 the Court was made by M.SATHYANARAYANAN,J.)

Heard the submissions of Mr.A.Doraisamy, learned Senior Counsel appearing for the petitioner, who has drawn the attention of this Court to the testimony of the witnesses and the impugned judgment and made a primordial submission that A.1 and A.2 sustained injuries, which would exhibit from Exs.P.15 and P.16 and the Investigation Officer did not offer any explanation as to the grievous injuries sustained by A.1 and A.2 and therefore, the petitioners had a bright chance of success in the appeal and hence, prays for suspension of the substantive sentences of imprisonment.



2. Per contra, Mr.S.Chandrasekar, learned Additional Public Prosecutor appearing for the State would submit that the points urged by the learned Senior Counsel appearing for the petitioners can be appreciated only at the time of final disposal of the appeal and hence, prays for dismissal of this petition.

3. The learned Senior Counsel, after advancing arguments for sometime, made an alternative plea to fix an early date for disposal of the appeal and on this submission, this Court heard the submissions of the learned Additional Public Prosecutor. The learned Counsel on record, also made an endorsement praying for withdrawal of this petition.

4. In the light of the endorsement made, this Criminal Miscellaneous Petition is dismissed as withdrawn.

5. The Registry is directed to call for the papers and prepare the typed set of documents and list the Criminal Appeal for final disposal on 25.07.2019.

sd/-
27/06/2019

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE, THENI AT PERIYAKULAM.
- 2 THE INSPECTOR OF POLICE,
DEVADHANPATTI POLICE STATION,
THENI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.5696 of 2019
IN
CRL A(MD) No.542 of 2018
Date :27/06/2019