

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

Wednesday, the Fourth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice V.PARTHIBAN

CRL RC(MD) No.418 of 2019
and
CRL.M.P(MD)Nos.6013 & 6014 of 2019

PALANIVEL

... PETITIONER/RESPONDENT/
ACCUSED

Vs

P.P.S.MURUGESAN

... RESPONDENT/APPELLANT/
COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to call for the records relating to the judgment passed in C.A.No.25/2018 dated 27.02.2019 on the file of the Additional District and Sessions Judge, Theni at Periyakulam reversing the order of acquittal passed in S.T.C.No.95/2016 dated 12.02.2018 on the file of the Judicial Magistrate, Periyakulam and set aside the sme and acquit the petitioner/respondent/accused from the charge leveled against him.

Prayer in CRL MP(MD)No. 6013/ 2019 :

To suspend the sentence imposed on the petitioner/petitioner in C.A.No.25/2018 dated 27/02/2019 on the file of the Additional District and Sessions Judge, Theni at Periyakulam by reversing the order of acquittal passed in STC.NO.95/2016 dated 12/02/2018 on the file of the Judicial Magistrate, Periyakulam and enlarge him on bail till the disposal of the revision.

Prayer in CRL MP(MD)No. 6014/ 2019 :

To exempt the petitioner to surrender in connection with the Judgement passed in C.A.No.25/2018 dated 27/02/2019 on the file of the Additional District and Sessions Judge, Theni at Periyakulam by reversing the order of acquittal passed in STC.NO.95/2016 dated 12/02/2018 on the file of the Judicial Magistrate, Periyakulam and thus render Justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.R.VENKATESWARAN, Advocate for the petitioner and of Mr.M.Murugesan, Advocate for the Respondent, the court made the following order:-

Heard the learned counsel appearing for the petitioner and the learned counsel for the respondent and being prima facie satisfied that there are arguable points in the revision, this Court is inclined to suspend the substantive sentence of imprisonment imposed on the petitioner.

2. Accordingly, the miscellaneous petitions are allowed and the substantive sentence of imprisonment alone stands suspended pending disposal of the revision and the petitioner is directed to be enlarged on bail on condition that the petitioner executes a bond for a sum of Rs.10,000/- with two sureties, each for a likesum, to the satisfaction of the Judicial Magistrate, Periyakulam, and on further condition that the petitioner shall appear before the said Court at 10.30 a.m. on the 1st working day of every English calendar month and the petitioner is also exempted from surrendering before the concerned Court, until further orders.

3. List the revision for hearing on 03.10.2019.

sd/-
04/09/2019

/ 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 JUDICIAL MAGISTRATE, PERIYAKULAM

3.DO-THRO-THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

+1. C.C. to M/S.R.VENKATESWARAN Advocate SR.No.14700

ORDER IN
CRL RC(MD) No.418 of 2019 and
CRL.M.P(MD)Nos.6013 & 6014 of 2019
Date :04/09/2019

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