

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

Friday, the Sixteenth day of August Two Thousand Nineteen

PRESENT

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

CRL MP(MD) No.9073 of 2017

IN

CRL A(MD) No.398 of 2017

DHARMALINGAM

... PETITIONER/APPELLANT/
ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
MANIYACHI POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.38/2015

... 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 execution of sentence by granting bail in S.C.No.88/2016 dated 24/08/2017 on the file of the Principal District and Sessions Judge, Thoothukudi, Thoothukudi District.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.V.KARTHIRVELU, Senior Counsel for Mr.K.PRABHU, 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.]

The petitioner is the sole accused in S.C.No.88 of 2016 on the file of the learned Principal District and Sessions Judge, Thoothukudi and vide impugned judgment dated 24.08.2017, he was convicted and sentenced as follows:

Conviction	Sentence
U/s.302 I.P.C.	To undergo rigorous imprisonment for life and to pay a fine of Rs.1,000/- (Rupees One Thousand only), in default, to undergo rigorous imprisonment for three months.
U/s.506(2) I.P.C.	To undergo rigorous imprisonment for one year.

The sentences were ordered to run concurrently.

2. Mr.V.Karthirvelu, learned Senior Counsel appearing for the petitioner/appellant has invited the attention of this Court to the Marriage Invitation Card of his son and would submit that the son of the petitioner/appellant, namely, T.Karuppasamy, is getting married to P.Angalaparameswari, on 08.09.2019 between 10.30 a.m., and 11.00 a.m., at Thoothukudi, followed by a Reception on 09.09.2019 between 06.00 p.m., and 07.50 p.m., and therefore, prays for his temporary release/ leave to attend and perform his son's marriage.

3. Heard the submissions of Mr.S.Chandrasekar, learned Additional Public Prosecutor appearing for the respondent and he would submit that on an earlier occasion, with regard to the demise of relative of the petitioner/appellant, he was let on parole with police escort and prays for appropriate orders.

4. In the light of the above facts and circumstances of the case, this Court orders temporary release/leave of the petitioner/appellant subject to the following conditions:

(i) The petitioner/appellant shall be temporarily granted release/leave on **06.09.2019 after 02.00 p.m.**, and he shall report before the Inspector of Police, Maniyachi Police Station, Thoothukudi District, on **07.09.2019 at 11.00 a.m.**, **08.09.2019 at 06.00 p.m.**, and on **09.09.2019 at 11.00 a.m.**, and he shall surrender before the Central Prison, Palayamkottai, **at or before 04.00 p.m., on 10.09.2019;** and

(ii) During the period of his temporary release/leave, he shall not abscond and indulge himself in any unlawful or anti-social activities and he shall abide by the conditions imposed in this order.

5. Call on **12.09.2019**.

sd/-
16/08/2019

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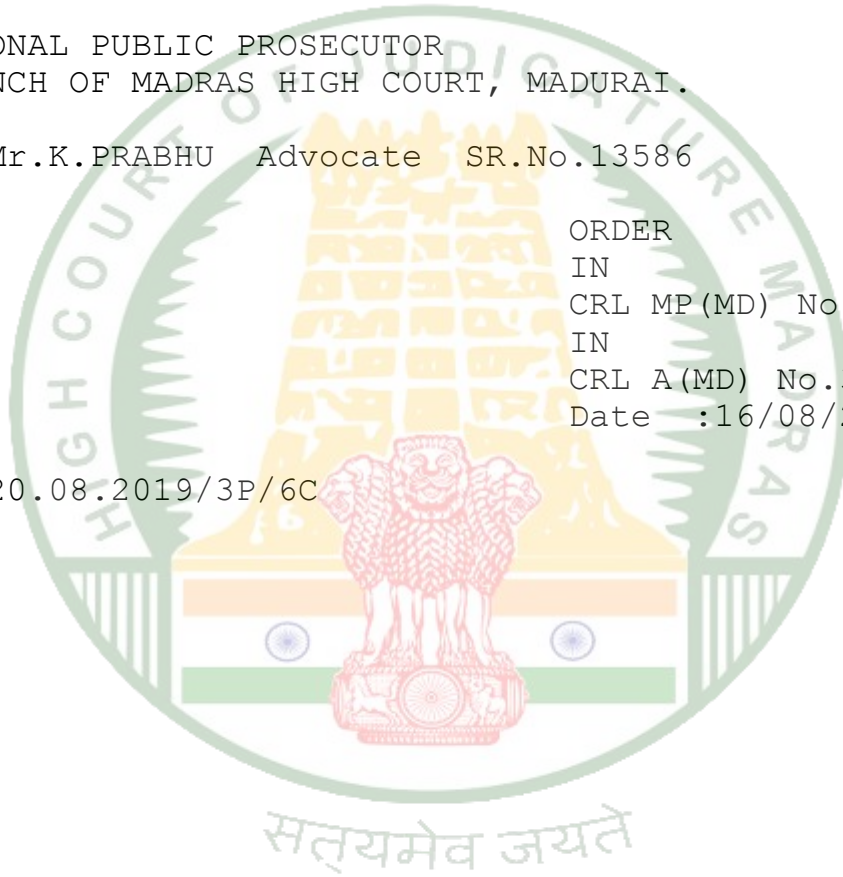
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
THOOTHUKUDI.
 2. THE INSPECTOR OF POLICE,
MANIYACHI POLICE STATION,
THOOTHUKUDI DISTRICT.
 3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
 4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to Mr.K.PRABHU Advocate SR.No.13586

ORDER
IN
CRL MP(MD) No.9073 of 2017
IN
CRL A(MD) No.398 of 2017
Date :16/08/2019

rsb
TK/VR/SAR.1/20.08.2019/3P/6C



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