

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Second day of June Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice N. KIRUBAKARAN

and

The Hon`ble Mrs Justice R. HEMALATHA

CRIMINAL MISCELLANEOUS PETITION No.17938 of 2019

IN CRL.A.NO.357 OF 2019

AND CRL.A.NOs.191 & 564 OF 2019

PRASATH

[PETITIONER / APPELLANT /
ACCUSED IN CRL.MP.NO.17938/2019 IN
CRL.A.NO.357/2019]

SILAMBARASAN

[APPELLANT / ACCUSED
IN CRL.A.NO.191/2019]

VENKATESH

[APPELLANT / ACCUSED
IN CRL.A.NO.564/2019]

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
METTUPALAYAM POLICE STATION,
PUDUCHERRY.

[RESPONDENT / RESPONDENT /
COMPLAINANT
IN CRL.MP.NOs.17938/2019
CRL.A.NO.357/2019
& CRL.A.NO.191/2019]

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
D NAGAR CIRCLE
METTUPALAYAM POLICE STATION,
PUDUCHERRY.
CRIME NO.66/2014

[RESPONDENT / RESPONDENT /
COMPLAINANT
IN CRL.A.NO.564/2019]

Petitions praying that in the circumstances stated therein and in the Memorandum of Grounds in Crl.A.Nos.357, 191 & 564/2019 on the file of the High Court, the High Court will be pleased to

[i] suspend the sentence of imprisonment imposed on the petitioner by judgement dated 13.3.2019 in S.C.No.3 of 2015 on the file of III Additional Sessions Judge at Puducherry and enlarge the petitioner on bail pending disposal of the Crl.Appeal No.357/2019. [IN CRL.MP.NO.17938/2019]

[ii] conviction and sentence imposed upon him by the Learned III Additional Sessions Judge at Puducherry in S.C.No.3 of 2015 dated 13.3.2019 for the offences under Section 302 r/w.34 of IPC and sentenced to undergo life imprisonment and to pay a fine of Rs.5,000/- in default sentenced to undergo one year R.I. and convicted u/s.382 r/w.34 of IPC and sentenced to undergo rigorous imprisonment for 10 years and to pay a fine of Rs.1,000/- in default undergo one year R.I. the sentence shall run concurrently for the following among other. [IN CRL.A.NO.191/2019]

[iii] convicted and sentenced the appellant for an offence 302 r/w.34 of IPC and 382 r/w.34 IPC to undergo life imprisonment and pay fine of Rs.5,000/- in default one year rigorous imprisonment for 10 years rigorous imprisonment and pay fine of Rs.1000/- in default one year rigorous imprisonment respectively, and to set aside the Judgment dated 13.03.2019 in S.C.No.3 of 2019 by the IIIrd Additional Sessions Judge, Puducherry. [IN CRL.A.NO.564/2019]

Order : These petitions coming on for orders upon perusing the petitions and the Memorandum of Grounds in Crl.A.Nos.357, 191 & 564/2020 on the file of the High Court and upon hearing the arguments of M/S.G.MUNURAJ, Advocate for the petitioner [IN CRL.MP.NO.17938/2019 IN CRL.A.NO.357/2019] and and M/S.L.MAHENDRAN, Advocate for the petitioner [IN CRL.A.NO.191/2019] and M/S.M.SANKAR, Advocate for the petitioner [IN CRL.A.NO.564/2019] and of M/S. M.PRABHAVATHI, ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondent [IN CRL.MP.NO.17938/2019 IN CRL.A.NO.357/2019] and of M/S.BHARATHA CHAKRAVARTHY, PUBLIC PROSECUTOR [PUDUCHERRY] on behalf of the Respondent [IN CRL.A.NOS.191 & 564/2019] the court made the following order:-

(Order of the Court was made by N.Kirubakaran, J)

Mr.Bharatha Chakkaravarthy, learned Additional Public Prosecutor (Puducherry) would submit that as per the earlier Order dated 13.03.2020, action is being taken against the investigation officer for not producing the 65B certificate at the time of trial and the result of the enquiry would be produced after two weeks.

2.Post the matter after two weeks.

-sd/-

02/06/2020

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.

TO

1 THE III ADDITIONAL SESSIONS JUDGE,
PUDUCHERRY.

2 THE PUBLIC PROSECUTOR
PUDUCHERRY.

3 THE INSPECTOR OF POLICE,
METTUPALAYAM POLICE STATION,
PUDUCHERRY.

4 THE SUPERINTENDENT
CENTRAL PRISON, PUDUCHERRY.

5 THE INSPECTOR OF POLICE
D NAGAR CIRCLE METTUPALAYAM P.S,
PUDUCHERRY.

C.C. to M/S.G.MUNURAJ Advocate on payment of necessary charges

Order

in
CRL MP.17938/2019

in
CRL.A.No.357/2019
and Crl.A.Nos.191 & 564/2019

Date :02/06/2020

From 7.2.2001 the Registry is issuing certified
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cs 05/06/2020

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