



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

Monday, the Sixth day of July Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL MP(MD) No.1463 of 2020

IN

CRL A(MD) No.86 of 2020

SELVAKUMAR @ JEYAKUMAR

... PETITIONER/ APPELLANT

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
SATHANKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(IN CRIME NO.7/2012)

... RESPONDENT/ RESPONDENT

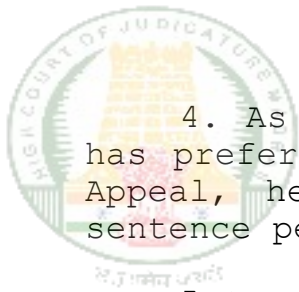
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence passed in judgment dated 07.11.2013 made in S.C.No.102/2013 on the file of the II Additional Session Judge, Thoothukudi convicted the appellant and sentenced him to undergo seven years rigorous imprisonment pending disposal of 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.C.K.M.APPAJI, Advocate for the petitioner and of Mr.K.DINESH BABU, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

2. This petition is filed to suspend the sentence passed by the learned II Additional Sessions Judge, Thoothukudi, made in S.C.No.102 of 2013, dated 07.11.2013.

3. The case against the petitioner is that the petitioner threatened the defacto complainant and also snatched her Gold Thali chain weighing about 8 1/2 Soverigns and hence, a case was registered under Section 397 and 506(ii) I.P.C., against the petitioner and he was convicted by the learned II Additional Sessions Judge, Thoothukudi, and was sentenced to undergo seven years rigorous imprisonment, by the judgment dated 07.11.2013.



4. As against the said conviction and sentence, the petitioner has preferred an Appeal in Crl.A.(MD)No.86 of 2020. Along with the Appeal, he has filed the present application for suspension of sentence pending disposal of the said Appeal.

5. On the side of the petitioner, it is stated that only four months is left to complete the conviction period and prayed the petitioner may be released on bail.

6. On the side of the respondent, it is stated that the petitioner / accused is a habitual offender and he was in custody throughout the trial and hence, the learned Additional Public Prosecutor opposed the petition.

7. Records perused.

8. From the records, it is revealed that the petitioner / accused was in custody throughout the trial and the petitioner is in custody from the year 2013 onwards and only four months is left for the completion of the conviction period. Hence, this Court is inclined to grant suspension of sentence till the disposal of the Appeal, on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Judicial Magistrate, Sathankulam and on further condition that:

(i) the sureties shall affix their photographs and Left Thumb Impression along with their signature in the surety bond and the learned Trial Judge may obtain a copy of their Aadhar Card or Voter I.D to ensure their identity;

(ii) the petitioner shall appear before the said Court daily at 10.30 a.m until further orders.

sd/-
06/07/2020

/ TRUE COPY /

/ /2020

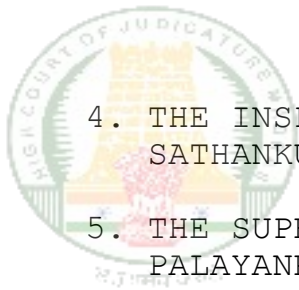
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE II ADDITIONAL SESSION JUDGE, THOOTHUKUDI.

2. THE JUDICIAL MAGISTRATE, SATHANKULAM.

3. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.



4. THE INSPECTOR OF POLICE
SATHANKULAM POLICE STATION, THOOTHUKUDI DISTRICT.
5. THE SUPERINTENDENT, CENTRAL PRISON,
PALAYANKOTTAI.
6. 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.1463 of 2020
IN
CRL A (MD) No.86 of 2020
Date : 06/07/2020

MS/PN/SAR-2/08.07.2020/3P.8C