



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

Monday, the Thirteenth day of January Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CRL MP(MD) No.251 of 2020
IN
CRL A(MD) No.531 of 2019

YUSUF ALAVUDEEN

... PETITIONER/APELLANT/
ACCUSED NO.1

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ARUMUGANERI POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.228/2016)

... 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 sentence and enlarge the petitioners on bail imposed on the appellants by the judgment dated 23.10.2019 made in S.C.No.277/2016 on the file of Mahila Court (Fast Track Court), Thoothukudi.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.J.SULTHAN BASHA, Advocate for M/S.AJMAL ASSOCIATES for the petitioner and of MR.V.NEELAKANDAN, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

The learned counsel for the petitioner submitted that the petitioner has been convicted by the learned trial judge, for the alleged offence under Section 498(A) of IPC, and sentenced to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.2,000/-, in default to undergo simple imprisonment for a period of six months and for the alleged offence under Section 304 (B) of IPC and sentenced to undergo rigorous imprisonment for a period of seven years in S.C.No.277 of 2016 on the file of the learned Sessions Judge, Mahila Court (Fast Track Court), Thoothukudi.

2.It is submitted by the learned counsel for the petitioner that there are several infirmities in the prosecution case and further there are contradictions in material particulars between the
<https://www.cemilab.com> prosecution witnesses.

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6. Accordingly, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the petitioner is directed to be enlarged on bail on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Mahila Court (Fast Track Court), Thoothukudi, and on further condition that the petitioners shall appear before the said Court daily twice i.e. at 10.30 a.m and 5.00 p.m pending appeal.

<https://hcservices.eco.pris.gov.in/PostServices/>



+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-789[I] dated 13/01/2020)

ORDER
IN
CRL MP (MD) No.251 of 2020
IN
CRL A (MD) No.531 of 2019
Date :13/01/2020

vsd
JM/VR/SAR 3/21.01.2020/3P/6C