



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

Monday, the Ninth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH
and
The Hon`ble Mr Justice B.PUGALENDHI

CRL MP(MD) No.1461 of 2020
IN
CRL A(MD) No.85 of 2020

SELVI

... PETITIONER/ APPELLANT/
CONVICT

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
MADUKOOR POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.82 OF 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 imposed in Sessions Case No.209 of 2016 dated 03.01.2020 on the file of the Sessions Judge, Fast Track Mahila Court, Thanjavur, till the disposal of appeal.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.K.M.SUBRAMANIAM, Advocate for the petitioner and of Mr.R.ANANDHARAJ, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

[Order of the Court was made by **P.N.PRAKASH, J.**]

The petitioner has been convicted and sentenced by judgment dated 03.01.2020 in Sessions Case No.209 of 2016, by the learned Sessions Judge, Fast Track Mahila Court, Thanjavur, challenging which, the petitioner has come in this appeal. Pending appeal, she seeks suspension of the substantive sentence of imprisonment.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and we have also perused the records carefully.



3. It is a case of murder for gain. It is the case of the prosecution that after murdering Kizhiammal, the accused had relieved her of her jewels and had pledged the same. It appears that the accused surrendered before Sundari, Village Administrative Officer (P.W.10) and gave an extra-judicial confession.

WEB COPY 4. The learned counsel for the petitioner contended that the evidence of Sundari (P.W.10) does not inspire the confidence of this Court, inasmuch as the Scribe of the confession, namely Malleswari was not examined.

5. On a reading of the evidence of Sundari (P.W.10), it is seen that the accused appeared before her and her Assistant Malleswari on 15.03.2016 and came forward to give a statement. When the accused started giving the statement, it was written by P.W.10's Assistant, Malleswari, which cannot be faulted. In the opinion of this Court, the points that have been raised by the petitioner herein can be canvassed only at the time of hearing the appeal. Hence, this Petition is dismissed.

sd/-
09/03/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SESSIONS JUDGE,
FAST TRACK MAHILA COURT, THANJAUVR.
2. THE INSPECTOR OF POLICE
MADUKOOR POLICE STATION, THANJAUVR DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON,
TIRUCHIRAPALLI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.M.SUBRAMANIAM, Advocate (SR-5081[I] dated 11/03/2020)

ORDER
IN
CRL MP(MD) No.1461 of 2020
IN
CRL A(MD) No.85 of 2020
Date :09/03/2020

MS/VR/SAR-1/11.03.2020/2P.6C