



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

Friday, the Nineteenth day of June Two Thousand Twenty

PRESENT

The Hon'ble Mr.Justice M.DHANDAPANI

CRL MP(MD) No.2460 of 2020
IN
CRL A(MD) No.129 of 2020

PRAKASH

... APPELLANT/APPELLANT/ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
DINDIGUL TOWN WEST POLICE STATION,
DINDIGUL.
CR.NO.593 OF 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 th sentence dated 07.11.2019 passed by the learned Fast Track Mahila Judge, Dindigul made in Crl.A.No.119 of 2017 modifying the order of conviction dated 04.10.2017 made in C.C.No.184 of 2016 by learned Judicial Magistrate No.I, Dindigul pending disposal of above Criminal Appeal petition.

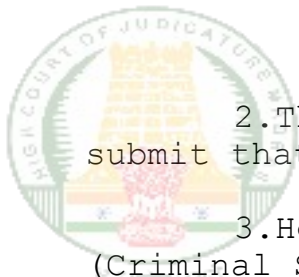
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.K.MANIKANDAN, Advocate for the petitioner and of K.SUYAMBULINGA BHARATHI, Government Advocate (Crl.side) on behalf of the Respondent, the court made the following order:-

The petitioner was convicted by the Judgment, dated 07.11.2019 by the learned Fast Track Mahila Judge, Dindigul in Crl.A.No.119 of 2017 modifying the order of conviction, dated 04.10.2017 made in C.C.No.184 of 2016 by learned Judicial Magistrate No.I, Dindigul, in the following manner.

(i) found guilty for the offence under Section 120(b) I.P.C. and sentenced to undergo Three Years Rigorous Imprisonment.

ii) found guilty for the offence under section 380 r/w 109 IPC and sentenced to undergo Rigorous Imprisonment for a period of Three Years.

and the sentence of imprisonment imposed on her shall ordered to be run concurrently. Hence, the petitioner seeks suspension of sentence.



2.The learned counsel appearing for the petitioner would submit that the petitioner is the sole bread winner of his family.

3.Heard the submissions of the learned Government Advocate (Criminal Side) warrant is pending against the petitioner.

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4.Having regard to the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future and also considering the period of incarceration, I am of the considered opinion that the petitioner is entitled for the relief of suspension of sentence.

5.Accordingly, the substantive sentence of imprisonment alone is suspended 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 learned Judicial Magistrate No.I, Dindigul, and on further condition that the petitioner shall appear before the said Court at 10.30 a.m. daily for a period of two weeks and thereafter on the first working day of every English Calendar month, pending disposal of the appeal.

sd/-

19/06/2020

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

TO

1. THE JUDGE, FAST TRACK MAHILA JUDGE, DINDIGUL.
2. THE JUDICIAL MAGISTRATE NO.I, DINDIGUL.
3. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
4. THE INSPECTOR OF POLICE,
DINDIGUL TOWN WEST POLICE STATION, DINDIGUL.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL MP(MD) No.2460 of 2020 IN
CRL A(MD) No.129 of 2020
Date :19/06/2020

TM

TE/VR/SAR-III : 19/06/2020 : 2P/6C

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