



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

Friday, the Twelfth day of June Two Thousand Twenty

PRESENT

The Hon'ble Mr. Justice G.R. SWAMINATHAN

CRL MP(MD) No.3102 of 2020
IN
CRL RC(MD) No.361 of 2020

IYYAPPAN

... PETITIONER/REVISION PETITIONER/
ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
CR NO.281/2015,
MADURAI DISTRICT.

... 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 by the Learned V Additional District Sessions Judge, Madurai in C.A.NO.23 of 2017 dated 24/10/2017 confirming S.C.NO.41 of 2016 on the file of the Learned Chief Judicial Magistrate, Madurai dated 10/02/2017 and enlarge the petitioner on bail pending disposal of this Revision Petition.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.AK.AZAGARSAMI, Advocate for the petitioner and of Mr.A.ROBINSON, Government Advocate (Crl.side) on behalf of the Respondent the court made the following order:-

Challenging the conviction and sentence dated 24.10.2017 passed in C.A.No.23 of 2017 on the file of the learned V Additional District Sessions Judge, Madurai, modifying the conviction and sentence dated 10.02.2017 passed in S.C.No.41 of 2016, on the file of learned Chief Judicial Magistrate, Madurai, the petitioner/sole accused preferred revision and also seeks suspension of sentence imposed against him for the offences under Sections 394 of I.P.C. He has also filed an application seeking exemption from surrender before the Chief Judicial Magistrate, Madurai.

2.The learned counsel for the petitioner submitted that there are very many legal infirmities in the conviction recorded by the Trial Court and they are required to be revised. Therefore, the



petitioner is having *prima facie* case and having arguable points in his favour and seeks suspension of sentence during the pendency of the revision.

3. Taking note of all these aspects, the order impugned in this revision is suspended. The petitioner is enlarged on bail, pending disposal of the Criminal Revision Case and the petitioner is ordered to be released on bail on own bond by the Magistrate without insisting on sureties. However, the petitioner is directed to 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 Chief Judicial Magistrate, Madurai, after the concerned Court is reopened and on further condition that the petitioner shall appear before the said court on the first working day of every month at 10.30 am, pending disposal of the revision petition.

sd/-
12/06/2020

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE V ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MADURAI.
2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL MP(MD) No.3102 of 2020 IN
CRL RC(MD) No.361 of 2020
Date :12/06/2020

DAS

TE/VR/SAR-III : 15/06/2020 : 2P/5C

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