



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

Tuesday, the Ninth day of June Two Thousand Twenty

PRESENT

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

Cr1.MP(MD)Nos.3087 and 3088 of 2020
in
Cr1.A(MD)Nos.171 and 170 of 2020

ARUMUGAM AMMAL

... PETITIONER/ APPELLANT A3
IN Cr1.MP(MD)No.3087 of 2020
in Cr1.A(MD)No.171 of 2020

1 PALANI
2 CHANDRAN

... PETITIONERS/APPELLANTS(A1 & A2)
IN Cr1.MP(MD)No.3088 of 2020
in Cr1.A(MD)No.170 of 2020

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
RAILWAY POLICE STATION,
RAMESWARAM,
RAMANATHAPURAM DISTRICT.
IN CRIME NO.62 OF 2013

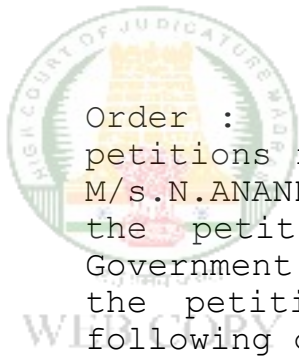
... RESPONDENT/ RESPONDENT
IN BOTH THE PETITIONS

PRAYER IN IN Cr1.MP(MD)No.3087 of 2020 in Cr1.A(MD)No.171 of 2020:

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 on the petitioners /Appellants A3 in S.C.No.46 of 2016 on the file of the learned Additional Sessions Judge, (In charge) Fast Track Mahila Court, Ramanathapuram Dated 10.03.2020 and enlarge her on bail pending disposal of the instant appeal.

PRAYER IN IN Cr1.MP(MD)No.3088 of 2020 in Cr1.A(MD)No.170 of 2020:

To suspend the sentence imposed on the petitioners /Appellants A1 & A2 in S.C.No.46 of 2016 on the file of the learned Additional Sessions Judge, (In charge) Fast Track Mahila Court, Ramanathapuram Dated 10.03.2020 and enlarge them on bail pending disposal of the instant appeal.



Order : These petitions coming on for orders upon perusing the petitions filed in support thereof and upon hearing the arguments of M/s.N.ANANDHA PADMANABHAN, Advocate for M/S.APN LAW ASSOCIATES, for the petitioners in both the petitions and of Mr.A.ROBINSON, Government Advocate(Crl.Side) on behalf of the Respondent in both the petitions, While admitting the CRL.A., the court made the following order:-

The learned counsel appearing for the appellants states that he will not press the suspension of sentence application filed in respect of A1/Palani for the present. Therefore, Crl.M.P.(MD)No.3088 of 2020 in Crl.A(MD)No.170 of 2020 is dismissed as withdrawn for the present as regards A1 /Palani.

2. The petitioners/ A2 and A3 have been convicted by the learned trial Judge for the offence under Sections 306 of IPC, to undergo 10 years rigorous Imprisonment and to pay a fine of Rs.5,000/-, each in default of payment of fine to undergo rigorous imprisonment for a further period of six months, in S.C.No.46 of 2016 on the file of the learned Additional Sessions Judge, (In Charge) Fast Track Mahila Court, Ramanathapuram.

3.A2/Chandran, A3/Arumugam Ammal are only the parents-in-law of the victim. Even according to the prosecution, the occurrence had not taken place in the matrimonial home. The victim is said to have quarreled with her mother that she was given in marriage to an alcoholic addict. Even if the entire case of the prosecution is true, the liability has to fall on A1/Palani.

4.I am of the view that A2 and A3 as the parents-in-law of the victim, have some arguable points to present in this appeal. They have already spent about 87 days in jail. Therefore, A2 and A3 are entitled to the relief of suspension of sentence.

5.Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the petitioners/A2 and A3 are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/-(Rupees ten thousand only) with two common sureties each for a like sum to the satisfaction of the learned Additional Sessions Judge, (In Charge) Fast Track Mahila Court, Ramanathapuram and on further condition that the petitioners shall appear before the said court on the first working day of every month at 10.30 am, pending appeal.

sd/-

09/06/2020

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/ /2020

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



TO

1 THE ADDITIONAL SESSIONS JUDGE, (IN CHARGE)
FAST TRACK MAHILA COURT, RAMANATHAPURAM.

2 THE INSPECTOR OF POLICE, RAILWAY POLICE STATION,
RAMESWARAM, RAMANATHAPURAM DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON FOR WOMEN,
MADURAI.

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CrI.MP(MD)Nos.3087 and 3088 of 2020
in
CrI.A(MD)Nos.171 and 170 of 2020
Date :09/06/2020

MS-AE/PN/SAR-3/09.06.2020/3P.6C