



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

Friday, the Tenth day of July Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL MP(MD) No.3534 of 2020

IN

CRL RC(MD) No.401 of 2020

1 ARJUNAN
2 RAJA

... PETITIONERS/PETITIONERS

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE,
ILAMCHEMPOOR POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 33 OF 2011)

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence passed in CC.No.199 of 2013 dated 26.4.2019 before the Learned Judicial Magistrate, Mudhukulathoor, Ramanathapuram and the same was confirmed by the order dated 10.3.2020 passed by the Learned District and Sessions Judge, Ramanathapuram in CA.No.15 of 2019 and enlarge the petitioner on bail pending disposal of the above Criminal revision petition.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.S.MUTHUKUMAR, Advocate for the petitioner and of Mrs.ANANDHA DEVI, Government Advocate on behalf of the Respondent, while admitting the Criminal Revision Case, the court made the following order:-

This petition is filed to suspend the sentence imposed on the petitioners by the learned Judicial Magistrate, Mudhukulathoor, made in C.C.No.199 of 2013, dated 26.04.2019 and the same was confirmed subsequently, by the learned District and Sessions Judge, Ramanathapuram in C.A.No.15 of 2019, dated 10.03.2020.

2. After trial, the petitioners have been convicted and sentenced as under:

<https://hcservices.ecourts.gov.in/hcservices/>



Conviction	Sentence
Section 326 IPC (A1)	2 years RI + Fine Rs.1,000/-, i/d one week SI
Section 324 IPC (A2)	1 year RI + Fine Rs.1,000/-, i/d., one week SI

3. The contention of the petitioners is that they were not connected with the offence. Due to civil dispute between A3 and defacto complainant, they were falsely implicated in this case. Further, on the date of Judgment, the petitioners were not able to appear before the appellate Court. However, they were issued with arrest warrant and pursuant to which, they were arrested and put to judicial custody from 13.06.2020 onwards. The petitioners prayed that the sentence of imprisonment imposed on them may be suspended till the disposal of the revision.

4. The learned Additional Public Prosecutor appearing for the respondent has no serious objection to grant an order of suspension of sentence.

5. I have heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent and perused the materials available on record.

6. Considering the facts and circumstances of the case, this Court is inclined to grant suspension of sentence till the disposal of the revision, on the petitioners executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum, of whom, one should be a blood relative to the satisfaction of the learned Judicial Magistrate, Mudukulathoor and on further condition that:

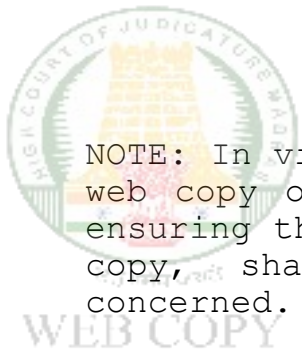
(i) the sureties shall affix their photographs and Left Thumb Impression along with their signature in the surety bond and the learned Trial Judge may obtain a copy of their Aadhar Card or Voter I.D to ensure their identity;

(ii) the petitioners shall appear before the said Court daily at 10.30 a.m until further orders.

sd/-
10/07/2020

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/ /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 JUDICIAL MAGISTRATE,
MUDHUKULATHOOR, RAMANATHAPURAM DISTRICT.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE DISTRICT AND SESSIONS JUDGE, RAMANATHAPURAM
4. THE INSPECTOR OF POLICE,
ILAMCHEMPOOR POLICE STATION,
RAMANATHAPURAM DISTRICT.
5. THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP (MD) No.3534 of 2020
IN
CRL RC (MD) No.401 of 2020
Date :10/07/2020

trp

AE/PN/SAR-II (10.07.2020) 3P 7C