

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eighteenth day of January Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

and

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL MISCELLANEOUS PETITION No.2338 of 2020

in CRL.A.No.129 OF 2020

RAVI @ RAVIKUMAR

[PETITIONER]

Vs

STATE REP BY
INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
TIRUPPUR DISTRICT
CR.NO.649/2016

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.A.No.129 OF 2020 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the petitioner by an order dated 14.11.2019 passed in SC.No.70/2017 on the file of Magalir Neethimandram (FAST TRACK MAHILA COURT) Tiruppur and enlarge the petitioner on bail pending diposal of the above Crl.A.No.129 of 2020.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL.A.No.129 OF 2020 on the file of the High Court and upon hearing the arguments of M/S CAMYLES GANDHI Advocate for M/S. P.SARAVANA SOWMIYAN, Advocate for the petitioner and of MR. K.PRABAKAR, ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

(Order of the Court was made by V.SIVAGNANAM,J.)

This criminal miscellaneous petition has been filed seeking to suspend the sentence of imprisonment imposed on the petitioner (A1) by judgment and order dated 14.11.2019 passed in S.C.No.70 of 2017 on the file of the Sessions Court, (Fast Track Mahila Court), Tiruppur.

2. The petitioner, who was the first accused in S.C.No.70 of 2017 before the Sessions Court, (Fast Track Mahila Court), Tiruppur, was convicted and sentenced as follows on 14.11.2019:

S.No.	Provision under which convicted	Sentence
1	Section 449 r/w 457 IPC	Seven years rigorous imprisonment and fine of Rs.1,000/-, in default to undergo one year rigorous imprisonment, each.
2	Section 394 r/w 397 IPC	
3	Section 302 IPC	Rigorous imprisonment for life and fine of Rs.3,000/-, in default to undergo two years rigorous imprisonment.

The aforesaid sentences were ordered to run concurrently.

3. This Court carefully perused the judgment of the trial Court. It is seen that the trial Court has relied upon the evidence such as seizure mahazar (Ex-P3) and the confession statements of the accused (Exs-P4 and P5). The confession statements of the accused show that the properties were seized based on the confession of the accused.

4. Considering the grave nature of the offence viz., murder for gain, this Court is not inclined to grant suspension of sentence and bail to the petitioner.

In the result, this criminal miscellaneous petition is dismissed as being devoid of merits. The Registry is directed to call for the records, prepare the typed set of papers and post the main appeal for final hearing.

-sd/-

18/01/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

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TO

1 THE JUDICIAL MAGISTRATE,
NO V, TIRUPPUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR(FOR INFORMATION)

3 THE SESSIONS JUDGE
(FAST TRACK MAHILA COURT),
TIRUPPUR

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
TIRUPPUR DISTRICT

6 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

7 THE SECTION OFFICER,
CRIMINAL SECTION, HIGH COURT,
MADRAS.

C.C. to M/S. P.SARAVANA SOWMIYAN Advocate on payment of
necessary charges

Order

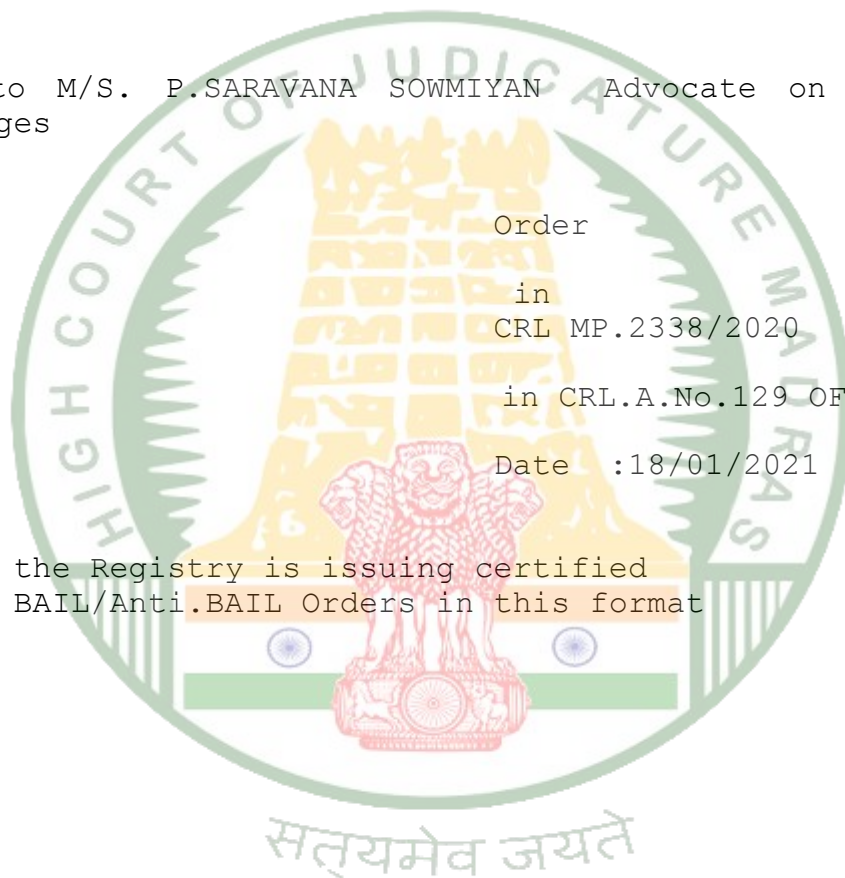
in
CRL MP.2338/2020

in CRL.A.No.129 OF 2020

Date :18/01/2021

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

RVR 21/01/2021



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