

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Second day of July Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

and

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL MISCELLANEOUS PETITION No.6623 of 2021

In CRL.A.No.23 of 2019

PAZHANIAMMAL

[PETITIONER/APPELLANT/ACCUSED]

Vs

STATE REP BY

[RESPONDENT /COMPLAINANT]

INSPECTOR OF POLICE,
PUDUPETTAI POLICE STATION,
CUDDALORE DISTRICT.
CR.NO.228/2008.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.A.No.23 of 2019 on the file of the High Court, the High Court will be pleased to suspend the conviction of sentence imposed upon the petitioner/appellant in S.C.No.220 of 2016 dated 10.12.2018 on the file of District Mahalir Sessions Judge at Cuddalore and enlarge the petitioner on bail pending disposal of the above criminal appeal No.23/2019.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.23 of 2019 on the file of the High Court and upon hearing the arguments of M/S.R.RAJASEKARAN, for the petitioner and of M/S.R.MUNIYAPPARAJ, Government Advocate, (Criminal Side) on behalf of the Respondent the court made the following order:-

(Order of the Court was made by P.N.PRAKASH, J.)

This criminal miscellaneous petition has been filed seeking to grant suspension of sentence imposed on the petitioner by judgment and order dated 10.12.2018 passed in S.C.No.220 of 2016 on the file of the District Mahila Sessions Court, Cuddalore and to enlarge the petitioner on bail pending disposal of the above appeal.

2. It is the case of the prosecution that the petitioner set fire on her daughter-in-law and made as if it was a case of suicide. The police also suppressed the dying declaration given by the deceased and instead filed a final report against the petitioner for the offence under Section 306 IPC. Only when the matter was taken up for hearing, the trial Judge has taken note of the dying declaration of the deceased.

3. Under such circumstances, the trial Court framed charge under Section 302 IPC and has thereafter convicted the petitioner of the offence under Section 302 IPC and sentenced her to undergo imprisonment for life and to pay a fine of Rs.20,000/-, in default to undergo two years rigorous imprisonment.

4. In such view of the circumstances, we are of the view that this is not a fit case to grant suspension of sentence and bail to the petitioner and hence, this criminal miscellaneous petition is dismissed.

The Registry is directed to call for the records, prepare the typed set of papers and post the main appeal for final disposal on 11.08.2021.

-sd/-
02/07/2021

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.

TO

1 THE DISTRICT MAHILA SESSIONS COURT, CUDDALORE.

2 THE INSPECTOR OF POLICE,
PUDUPETTAI POLICE STATION,
CUDDALORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
PUZHAI, CHENNAI.

COPY TO:

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

C.C. to M/S.R.RAJASEKARAN Advocate on payment of necessary charges

Order

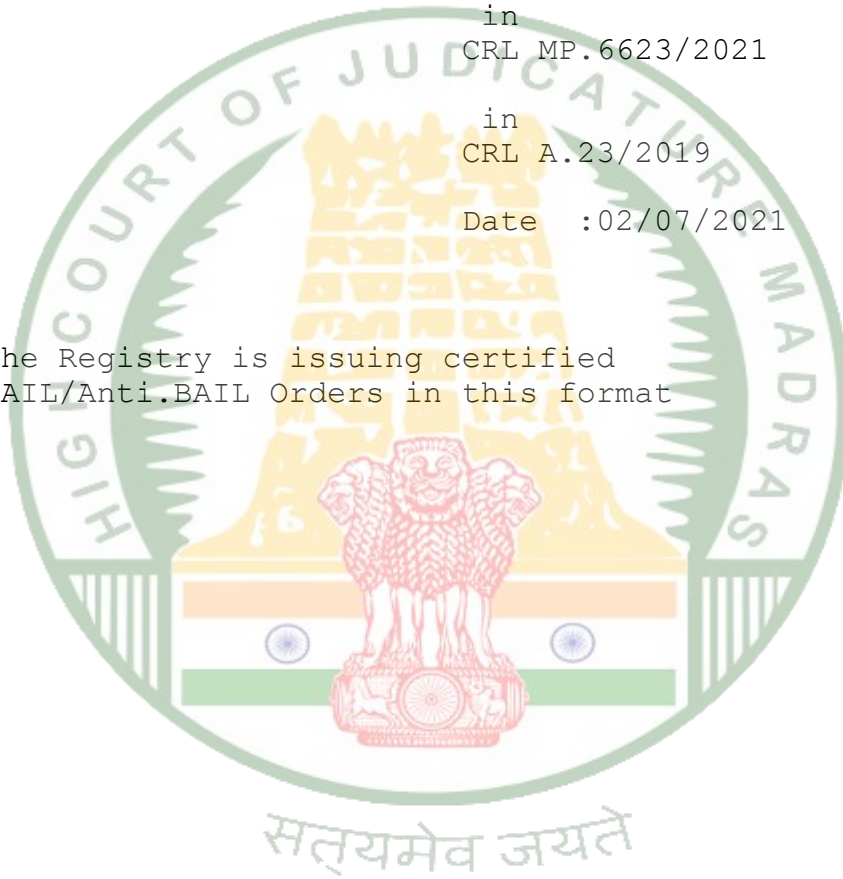
in
CRL MP.6623/2021

in
CRL A.23/2019

Date :02/07/2021

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

MN-13/07/2021



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