

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Third day of February 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.8907 of 2020

IN CRL A.No.544/2020

R.VIMALRAJ

[PETITIONER/APELLANT/ACCUSED]

Vs

THE STATE REP.BY ITS

[RESPONDENT/COMPLAINANT]

THE ASSISTANT COMMISSIONER OF POLICE,

L & O NORTH RANGE,

SALEM CITY.

CRIME.NO.251 OF 2014.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Appeal Case No.544 of 2020 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed by the learned Principal Sessions Judge, Salem Special Court of Scheduled and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Salem in S.C.No.262 of 2015 dated 18.09.2019 and pending disposal of the above Criminal Appeal No 544 of 2020.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Appeal Case No.544 of 2020 on the file of the High Court and upon hearing the arguments of M/S. E.C.RAMESH Advocate for the petitioner and of M/S. 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.)

Seeking to suspend the sentence imposed against the petitioner by judgment dated 18.09.2020 in S.C.No.262 of 2015 on the file of the Principal Sessions Judge, Salem (Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989), the present petition has been filed.

2.It is the case of the prosecution that the petitioner has been arrayed as A3 among other accused and A1 is the husband of the deceased Regina. A1 was having illicit intimacy with many women and this was questioned by the deceased. On 30.07.2014, A1 to A3 kidnapped the deceased with the intention to commit murder. While A2 caught hold of the legs and A3 caught hold of the hands of the

deceased, with the help of other accused, A1 murdered the deceased. A2 and A3 are the associates of A1. The prosecution evidence supported the charges against the accused.

3.The trial Court found the accused guilty and convicted them accordingly. We find no reason to suspend the sentence. Hence this petition stands dismissed.

-sd/-
23/02/2021

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 PRINCIPAL SESSIONS JUDGE, SALEM
(SPECIAL COURT FOR SCHEDULED CASTES
AND SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989).

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE ASSISTANT COMMISSIONER OF POLICE,
L AND O NORTH RANGE,
SALEM CITY.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

C.C. to M/S. E.C.RAMESH Advocate on payment of necessary charges

WEB COPY

Order
in
CRL MP.8907/2020

in
CRL A.544/2020

Date :23/02/2021

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