



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.11710 of 2021

IN CRL.A.No.191 of 2021

1 ASHOK KUMAR
2 SARAVANAN

[PETITIONERS / APPELLANTS / CONVICTS]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
TALUK POLICE STATION,
MANNARGUDI,
TIRUVARUR DISTRICT.
CRIME NO.70 OF 2018.

[RESPONDENT / COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to suspend the sentence of 5 years rigorous imprisonment under Sec.436 of IPC r/w 4(1) of Tamilnadu Prevention of Property (Damage and Loss) Act, 1992 imposed by the trial court on 11.02.2021 in S.C.No.44 of 2019 on the file of the District and Sessions Court, Tiruvarur, till the disposal of the CRL.A.No.191 of 2021 preferred by the petitioners / appellants.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S. K.M.SUBRAMANIAN, Advocate for the Petitioners and of MR.S.SUGENDRAN, Govt. Advocate (Crl. Side) on behalf of the Respondents the court made the following order:-

This Criminal Miscellaneous petition has been filed seeking suspension sentence imposed in the judgment dated 11.02.2021 passed in S.C.No.44 of 2019 on the file of the District and Sessions Court, Tiruvarur, till the disposal of the Criminal Appeal.



2. This is the third application for suspension of sentence. The petitioner had filed CrI.M.P.No.5331 of 2021 seeking suspension of sentence. This Court after hearing the learned counsel for the appellant and the learned Public Prosecutor, had found that it is not a fit case for grant of bail and dismissed the same. Thereafter, the petitioner had filed CrI.M.P.No.6217 of 2021 seeking suspension of sentence and this Court finding that there is no change of circumstance, had dismissed the second application also.

3. In view of the above, since there is no change of circumstances, the Criminal Miscellaneous Petition stands dismissed. However, a direction is issued to the Registry to prepare the typed set of papers and list the Criminal Appeal, for final hearing during the first week of January 2022.

-sd/-
24/11/2021

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 AND SESSIONS COURT,
TIRUVARUR.

2 THE INSPECTOR OF POLICE,
TALUK POLICE STATION,
MANNARGUDI, TIRUVARUR DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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



C.C. to M/S. K.M.SUBRAMANIAN Advocate on payment of necessary charges

WEB COPY

Order

in
CRL MP.11710/2021
in
CRL A.191/2021

Date :24/11/2021

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

JPA 26/11/2021