

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty First 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.16345 of 2019

in CRL.A.NO.766 of 2019

KARTHICK

[PETITIONER]

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
TIRUPPUR NORTH POLICE STATION,
TIRUPPUR DISTRICT.
(IN CR.NO.1395/2005)

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To suspend the sentence and release the petitioner on bail pending disposal of this criminal appeal before this Hon`ble Court against the judgment and conviction imposed by the Learned Principle District and Sessions Judge, Tiruppur in S.C.No.38/2018 dated 12.09.2019 against appellant/accused.

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. S.MOHAMED ANSAR, 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 imposed on the petitioner (A2) by judgment and order dated 12.09.2019 passed in S.C.No.38 of 2018 on the file of the Principal District and Sessions Court, Tiruppur and enlarge the petitioner (A2) on bail till the disposal of this appeal.

2. Heard Mr.S.Mohamed Ansar, learned counsel for the petitioner (A2) and Mr.K.Prabhakar, learned Additional Public Prosecutor appearing for the respondent/State.

3. The learned counsel for the petitioner (A2) submitted that there is no sufficient evidence to connect the petitioner with the crime.

4. *Per contra*, the learned Additional Public Prosecutor refuted the submission made by the learned counsel for the petitioner by contending that there are sufficient evidence to connect the petitioner with the crime.

5. On perusing the records, it is seen that the petitioner (A2) was identified by the prosecution witness when he caught hold of the deceased Ramachandran, while Saravanan (A1) assaulted Ramachandran with knife.

6. Considering the nature of offence and the manner, in which, the offence took place and the case being murder for gain, we find no reason to suspend the sentence and grant bail to the petitioner.

In fine, this criminal miscellaneous petition is dismissed as being devoid of merits.

-sd/-

21/01/2021

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.

TO

1 THE PRINCIPAL DISTRICT
AND SESSIONS JUDGE, TRIPPUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
TIRUPPUR NORTH POLICE STATION,
TIRUPPUR DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

C.C. to M/S. S.MOHAMED ANSAR Advocate on payment of necessary charges

Order

in
CRL MP.16345/2019

in
CRL A.766/2019

Date :21/01/2021

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