



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Eleventh day of January Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice R.HEMALATHA

CRL MP(MD) No.103 of 2021
in
CRL A(MD)No.9 of 2021

KARTHICK

... PETITIONER/SOLE ACCUSED

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE,
ALLINAGARAM POLICE STATION,
THENI.
CRIME NO.52/2017.

... RESPONDENT/COMPLAINANT

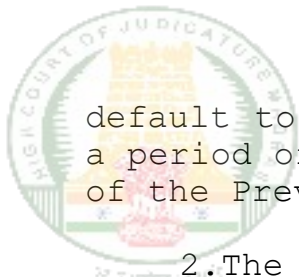
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed by the Principal District and Sessions Judge Theni in S.C No.140 of 2017 dated 29.06.2020 and enlarge the appellant on bail pending disposal of the above said Criminal Appeal.

PRAYER IN CRL A(MD)No.9 of 2021:

Pleased to call for the entire records connected to the Judgment in S.C.No.140 of 2017 on the file of the Principal District and Sessions Judge, Theni dated 29.06.2020 and set aside the conviction and sentence imposed against the appellant.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.S.RAVI, Advocate for Mr.P.KARTHICK, Advocate for the Petitioner and of Mr.S.CHANDRASEKAR, Additional Public Prosecutor on behalf of the Respondent, while admitting the Criminal Appeal, the court made the following order:-

The petitioner / sole accused was convicted by the learned Principal District and Sessions Judge, Theni vide his order dated 29.06.2020 in SC.No.140 of 2017 for the offences punishable under Section 341 of IPC and Section 3 (1) of the Prevention of Damage to Public Property Act and was imposed a fine of Rs.500/- and in default to pay the fine amount to undergo Simple Imprisonment for a period of one month for the offence punishable under Section 341 of IPC. He further was sentenced to undergo Rigorous Imprisonment for a period of five years and also to pay a fine of Rs.10,000/- and in



default to pay the fine amount to undergo Rigorous Imprisonment for a period of two years for the offence punishable under Section 3 (1) of the Prevention of Damage to Public Property Act.

2.The learned counsel appearing for the petitioner drew the attention of this Court to certain contradictions in the evidence of witnesses.

3. In the facts and circumstances, the sentence is suspended on the following condition that the petitioner should execute a bond for a sum of Rs.10,000/- with two sureties for like sum each to the satisfaction of the learned Principal District and Sessions Judge, Theni.

sd/-
11/01/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
THENI.

2.THE INSPECTOR OF POLICE,
ALLINAGARAM POLICE STATION,
THENI.

3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to Mr.P.KARTHICK, Advocate (SR-243[I] dated 18/01/2021)

ORDER IN
CRL MP(MD) No.103 of 2021
in
CRL A(MD)No.9 of 2021
Date :11/01/2021

MBI
TK/PN/SAR.2/19.01.2021/2P/6C