



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

Tuesday, the Ninth day of November Two Thousand and Twenty One

PRESENT

**The Hon`ble Mrs.Justice R.THARANI**

CRL MP(MD) No.8276 of 2021  
in  
Crl.A.(MD)No.423 of 2021

P.RAJENDRAN

... PETITIONER/ APPELLANT/  
SOLE ACCUSED

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
RAMJI NAGAR POLICE STATION,  
TIRUCHIRAPPALLI.  
(CRIME NO.191 OF 2016)

... RESPONDENT/ 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 on the Petitioner/Appellant/Accused namely, P.Rajendran by the Learned Sessions Judge, Mahila Court, Tiruchirappalli in Sessions Case No.94/2018 dated 30.07.2021 and enlarge the petitioner on bail, pending disposal of the Criminal Appeal.

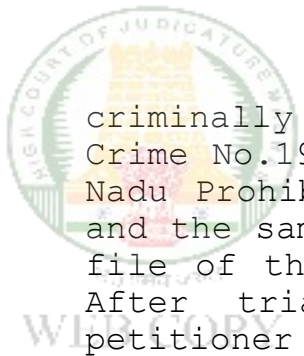
**PRAYER IN Crl.A. (MD)No.423 of 2021:**

To allow the appeal and set aside the judgment of the lower court in Sessions Case No.94/2018 dated 30.07.2021 on the file of the Hon'ble Sessions Judge, Mahila Court, Tiruchirappalli.

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.T.A.PUNITHAN, Advocate for the petitioner and of Mr.R.M.ANBUNITHI, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

This petition has been filed to suspend the sentence imposed by the learned Sessions Judge, Mahila Court, Tiruchirappalli in S.C.No.94 of 2018 dated 30.07.2021, till the disposal of the appeal.

2.The case against the petitioner is that there is a land dispute between the defacto complainant and the accused, namely Muthulakshmi and that the petitioner attached the wife of the defacto complainant and the petitioner inflicted injuries and



criminally intimidated her. A case was filed against the petitioner in Crime No.191 of 2016 under Sections 326, 307 of IPC r/w. 4 of Tamil Nadu Prohibition of Harassment of Women Act. Chargesheet was filed and the same was taken on file as Session Case No.94 of 2018 on the file of the learned Sessions Judge, Mahila Court, Tiruchirappalli. After trial, the learned Sessions Judge, Madurai found the petitioner guilty and convicted the petitioner and sentenced him to undergo seven years rigorous imprisonment and to pay a fine of Rs.1,000/- (Rupees One Thousand only) in default to undergo six months simple imprisonment for the offence under Section 326 of IPC, sentenced him to undergo seven years rigorous imprisonment and to pay a fine of Rs.1,000/- (Rupees One Thousand only) in default to undergo six months simple imprisonment for the offence under Section 307 of IPC and sentenced him to undergo one year rigorous imprisonment and to pay a fine of Rs.10,000/- (Rupees Ten Thousand only) in default to undergo three months simple imprisonment for the offence under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act. Against the conviction and sentence imposed by the trial Court, the petitioner has filed a criminal appeal in Crl.A.(MD) No.423 of 2021 and along with the appeal, they filed this petition for suspension of sentence.

3.On the side of the petitioner, it is stated that the petitioner enjoyed bail throughout the trial and he complied the conditions imposed by the Court. There was no corroborating evidence and the prosecution evidence are totally contradictory in nature. The petitioner is in custody from 30.07.2021 and prayed the sentence to be suspended till the disposal of the appeal.

4.On the side of the prosecution, it is stated that the petitioner has inflicted injuries on the victim and he is in custody for the past three months. The injuries are grievous in nature. Only for a property dispute, the petitioner has inflicted the injuries and prayed the petition to be dismissed.

5.It is seen that the petitioner is already in custody for the past 3½ months. Considering the nature of offence and considering the period of incarceration and considering the fact that the petitioner was on bail throughout the trial, this Court is of the view that the petitioner herein is entitled to the relief of suspension of sentence.

6.Accordingly, the substantive sentence of imprisonment alone is suspended till the disposal of the appeal and the petitioner is ordered to be released on bail on the following conditions:

(i)the petitioner is directed to execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Sessions

Judge, Mahila Court, Trichy ;



(ii) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Trial Judge may obtain a copy of any valid identity proof to ensure their identity ;

(iii) the appellant should reside in Dindigul District and not to enter in Tiruchirappalli District.

(iv) on release, the appellant shall reside in Dindigul and shall appear before the Dindigul Town Police Station daily twice at 10:30 a.m., and 05.00 p.m., until further orders.

sd/-

09/11/2021

/ TRUE COPY /

/ /2021

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

Note : In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE SESSIONS JUDGE,  
MAHILA COURT, TIRUCHIRAPPALLI.
- 2 THE INSPECTOR OF POLICE  
RAMJI NAGAR POLICE STATION,  
TIRUCHIRAPPALLI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON,  
TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

COPY TO;  
THE INSPECTOR OF POLICE,  
DINDIGUL TOWN POLICE STATION,  
DINDIGUL.

ORDER IN

CRL MP(MD) No.8276 of 2021 in  
Crl.A. (MD) No.423 of 2021

Date : 09/11/2021

MRN

<https://hccs.judges.gov.in/services/1.2021/3P.6C>