



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

Thursday, the Twenty Eighth day of October Two Thousand and
Twenty One
PRESENT

WEB COPY

The Hon`ble Mr.Justice V.BHARATHIDASAN
and
The Hon`ble Mrs.Justice S.ANANTHI

Crl.M.P (MD) No.8943 of 2021
IN
Crl.A. (MD) .No.448 of 2021

1 PRAVEENKUMAR
2 MURUGAN

... APPELLANTS No.2 & 3/
PETITIONERS Nos.1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

... 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 in SC.No.126 of 2018 dated 29.09.2021 by the Learned Fast Track Mahila Judge, Ramanathapuram and enlarge the Petitioner on bail pending disposal of the above appeal.

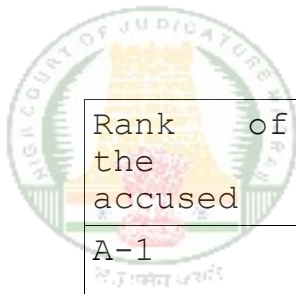
PRAYER IN CRL A(MD)No.448 of 2021:

To call for the records to set aside the judgment and sentence passed in S.C.No.126 of 2018 dated 29.09.2021 by the Learned Fast Track Mahila Judge, Ramanathapuram.

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.G.KARUPPASAMY PANDIYAN, Advocate for the Appellants and of MR.S.RAVI, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by **V.BHARATHIDASAN, J.**)

Totally there are three accused in S.C.No.126 of 2018 on the file of the Fast Track Mahila Court, Ramanathapuram. The trial Court convicted and sentenced them as follows:-



Rank of the accused	Convicted under Section	Sentence Imposed	Fine	Default Sentence
A-1	302 I.P.C.	Life Imprisonment	Rs.1,000/-	1 year S.I
A-1 to A-3	201 I.P.C.	2 years R.I.	Rs.1,000/- (each)	6 months S.I

Challenging the above conviction and sentence, the present appeal has been filed. Pending appeal, A-2 and A-3 sought for suspension of sentence.

2. The learned counsel appearing for the petitioners would submit that the petitioners/A-2 and A-3, were convicted only for the offence under Section 201 I.P.C and sentenced to undergo 2 years R.I. and to pay a fine of Rs.1,000/- each and in default to undergo 6 months S.I., and the trial Court has also suspended the sentence.

3. We have heard the submissions of Mr.S.Ravi, learned Additional Public Prosecutor for the State.

4. Considering the fact that the petitioners/A2 & A3 were convicted only for the offence under Section 201 I.P.C and the trial Court has also suspended the sentence, we are inclined to grant suspension of sentence. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment imposed on the petitioners alone is suspended, subject to the following conditions:

i. The petitioners are directed to be enlarged on bail on each of them executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like-sum to the satisfaction of the Judicial Magistrate No.II, Ramanathapuram.

ii. The petitioners shall appear before the trial Court at 10.30 a.m., on the first working day of every English calendar month until further orders.

iii. On any particular date, if the petitioners are not able to appear, leave is granted to the petitioners to file an application under Section 317 of Cr.P.C. and appear before the Court concerned on any other day, as determined by the Court concerned, in lieu of the day on which they would absent.

sd/-

28/10/2021

/ 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 FAST TRACK MAHILA JUDGE,
RAMANATHAPURAM.
- 2 THE JUDICIAL MAGISTRATE NO.II
RAMANATHAPURAM.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 4 THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER

IN

Crl.M.P (MD) No.8943 of 2021
IN

Crl.A. (MD) .No.448 of 2021

Date :28/10/2021

SA/JM/SAR.2/29.10.2021/3P/6C