



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

Friday, the Seventeenth day of December Two Thousand and Twenty One  
PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**

CRL MP(MD) No.11493 of 2021  
IN  
CRL A(MD)No.526 of 2021

1 SETHUPATHY

2 SHANMUGASUNDARI

... APPELLANTS/ACCUSED 1 & 2

**Vs**

THE STATE REP.BY  
THE INSPECTOR OF POLICE  
MUTHUKULATHOOR POLICE STATION,  
RAMANATHAPURAM DISTRICT.  
(CRIME NO.95/2013)

... 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 of Imprisonment imposed by the learned Additional Sessions Judge, Paramakudi, in SC No.102/2017 by the Judgement dated 29/11/2021 and enlarge the Petitioners/Appellants on bail, pending disposal of the above and Criminal Appeal.

**PRAYER IN CRL A(MD)No.526/2021:**

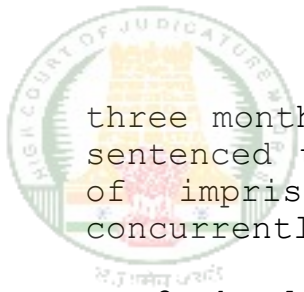
To call for records of the learned Additional Sessions Judge Paramakudi in S.C.No.102 of 2017 and set aside the conviction and sentence by judgment dated 29.11.2021 and allow the appeal.

**Order :** This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.M.KARUNANITHI, Advocate for the petitioner and of K.SANJAY GANDHI, Government Advocate(crl.side) on behalf of the Respondent, While admitting the CRL.A, the court made the following order:-

The petitioners were convicted by the Judgment dated 29.11.2021 by the Additional Session Judge, Paramakudi in S.C.No.102 of 2017 in the following manner.

i)the first petitioner was found guilty for the offences under Section 148 IPC and sentenced to undergo three years simple imprisonment, under Section 294(b) IPC and sentenced to undergo three months simple imprisonment and also under Section 324 IPC and sentenced to undergo three years simple imprisonment.

(ii) the second petitioner was found guilty for the offences under Section 147 IPC and sentenced to undergo two years simple imprisonment, under Section 294(b) IPC and sentenced to undergo



three months simple imprisonment and also under Section 323 IPC and sentenced to undergo one year simple imprisonment and the sentence of imprisonment imposed on them shall ordered to be run concurrently. Hence, the petitioners seeks suspension of sentence.

2.The learned counsel appearing for the petitioners would submit that the petitioners were released on bail by the learned Additional Sessions Judge, Paramakudi.

3.Heard the submissions of the learned Government Advocate (Criminal Side) and he also admits that the petitioners were now enlarged on bail by the trial Court.

4.Having regard to the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future and also considering the fact the petitioners are already enlarged on bail by the trial Court, I am of the considered opinion that the petitioners are entitled for the relief of suspension of sentence.

5.Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioners are directed to be enlarged on bail, on condition that the petitioners shall execute 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 learned Additional Session Judge, Paramakudi, Ramanathapuram District and on further condition that the petitioners shall appear before the said Court at 10.30 a.m. on the first working day of every English Calendar month, pending disposal of the appeal.

sd/-

17/12/2021

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/ /2021

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

**TO**

- 1 THE ADDITIONAL SESSIONS JUDGE,  
PARAMAKUDI, RAMANATHAPURAM DISTRICT.
- 2 THE INSPECTOR OF POLICE  
MUTHUKULATHOOR POLICE STATION, RAMANATHAPURAM DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to MR.M.KARUNANITHI, Advocate SR.No.9483.

**ORDER IN**

CRL MP(MD) No.11493 of 2021

**IN** CRL A(MD)No.526 of 2021

Date :17/12/2021

TM

SA/PN/SAR.4/17.12.2021/2P/4C

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