



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM :

WEB COPY

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.3464 of 2022 in Crl.A.No.295 of 2022

1. Ragulrajan
(*) 2. Mariammal

... Petitioners/Appellant

Versus

State represented by
The Deputy Superintendent of Police,
Neyveli Sub Division,
Kurinjipadi Police Station,
Cuddalore District.
Crime No.213/2019.

... Respondent/Complainant

Prayer: Criminal Miscellaneous Petition filed under Section 389(1) of the Code of Criminal Procedure to suspend the execution of the sentence dated 24th February 2021 passed in S.C.No.3 of 2020 against the petitioners/appellants by the learned Sessions Judge Mahila Court, Cuddalore pending disposal of the above appeal.

For Petitioner : Mr.S.N.Amarnath

For Respondent : Mr.S.Vinoth Kumar
Govt. Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition is to suspend the execution of the sentence, dated 24th February 2021 passed in S.C.No.3 of 2020 against the petitioners/appellants by the learned Sessions Judge Mahila Court, Cuddalore pending disposal of the above appeal.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent.

3. When the matter is taken up for hearing, the learned counsel for the petitioners would submit that he is not pressing the application for suspension of sentence for the first petitioner for the present.



4. I have considered the rival submissions made on either side and perused the materials on record.

5. Considering the facts and circumstances of the case, application against the first petitioner is dismissed for the present.

6. As far as the second petitioner is concerned, being the mother-in-law and the allegation has been made against her and her age being 70 years and she suffering from cancer, I am inclined to suspend the sentence and grant bail to the second petitioner alone on the following conditions:-

(a) the second petitioner is ordered to be released on bail, on her executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the Trial Court;

(b) the second petitioner and the sureties shall affix their photographs and left thumb impressions in the surety bonds and the learned Magistrate may obtain a copy of their Aadhar Cards or Bank Pass books to ensure their identities;

(c) the second petitioner shall appear before the Trial Court on the first working day of every English Calendar Month at 10.30 A.M until the disposal of the Criminal Appeal and if she is not able to appear before the Trial Court on any day, she shall make arrangements to file an application under Section 317 of Cr.P.C., and shall appear before the Trial Court on any other day in lieu of the date of her absence, as directed by the Trial Court.

6. This Criminal Miscellaneous Petition is ordered accordingly.

-sd/-
08/06/2022

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.



(*) **Corrected Order to be substituted for the order already despatched on 10/06/2022.**

TO WEB COPY

1 THE SESSIONS JUDGE
MAHILA COURT, CUDDALORE

2 THE DEPUTY SUPERINTENDENT OF POLICE,
NEYVELI SUB DIVISION,
KURINJIPADI POLICE STATION,
CUDDALORE DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

4 THE SUPERINTENDENT,
SPECIAL PRISON WOMEN, VELLORE

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 C.C. to M/S. S.N.AMARNATH Advocate on payment of necessary charges SR.NO.8642

Order
in
CRL MP.3464/2022
in
CRL A.295/2022

Date :08/06/2022

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JPA 08/06/2022

JPA 14/06/2022