



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL MISCELLANEOUS PETITION Nos.6564 & 6572 of 2022

in CRL.R.C.NO.630/2022

HARIDEVAN

[PETITIONER IN BOTH MPS]

Vs

STATE REP BY
INSPECTOR OF POLICE,
K.V.KUPPAM POLICE STATION,
VELLORE DISTRICT
(CRIME NO.156/2014)

[RESPONDENT IN BOTH MPS]

Petitions praying that in the circumstances stated therein the High Court will be pleased to

(i)Suspend the Sentence passed by the Learned Principal District and Sessions Judge, Vellore District in Crl.A.13/2019 dated 14.03.2022 partly allowed the appeal by modifying the Judgment and Sentence passed by the Learned Judicial Magistrate, Katpadi Vellore District in C.C.NO.119/2015 dated 28.01.2019 by enlarge the petitioner on bail pending disposal of the Crl.R.C.NO.630/2022.(IN CRL.MP.NO.6564/2022)

(ii) Allow the petition for the Exempting the petitioner from his Surrender the Judgment and Sentence by the Learned Judicial Magistrate, Katpadi, Vellore District in CC.119/2015 dated 28.01.2019 and Modified the Judgment and Sentence of the Learned Principal Sessions Judge, Vellore district Crl.A.13/2019 dated 14.03.2022 pending disposal of the Crl.R.C.NO.630/2022.(IN CRL.MP.NO.6572/2022)

Order : These petitions coming on for orders upon perusing the petitions and upon hearing the arguments of M/S E.KANNADASAN, Advocate for the petitioner(IN BOTH MPS) and of THE PUBLIC PROSECUTOR on behalf of the Respondent(IN BOTH MPS)the court made the following order:-

The case of the prosecution is that there was a land dispute between the parties and a civil suit was also filed and interim injunction was granted in favour of the petitioner. In spite of the same, P.W.1 and his wife trespassed into the property and on seeing



the same, the petitioner is said to have attacked P.W.1 with wooden log and also P.W.2 and P.W.3. P.W.8 who rushed to prevent the attack was also beaten by the petitioner.

2. The trial Court convicted the petitioner for the offences under Sections, 294(b), 325 (3 counts) and 506(ii) IPC and sentenced to undergo two weeks simple imprisonment for the offence punishable under Section 294(b) and three years simple imprisonment for each count under Section 325 of IPC. That apart, the petitioner was also sentenced to undergo three months simple imprisonment for the offence punishable under Section 506(ii) IPC.

3. On appeal, the appellate Court modified the judgment of the trial Court and convicted the petitioner for the offences punishable under Section 325 (2 counts) and Section 323 of IPC and acquitted the petitioner for the charges under Section 294(b) and 506(ii) of IPC. The petitioner was sentenced to undergo simple imprisonment of one year for each count for the offence under Section 325 IPC and to pay a fine of Rs.1,000/- for each count and in default to undergo one month simple imprisonment and for the offence under Section 323 of IPC, the petitioner was sentenced to pay a fine of Rs.1,000/- and in default to undergo one month simple imprisonment.

4. The petitioner has raised various grounds, which require the consideration of this Court. That apart, the petitioner was on bail throughout.

5. Considering the facts and circumstances of the case, this Court is inclined to suspend the sentence passed by the learned Principal District and Sessions Judge, Vellore, Vellore District in Crl.A.No.13 of 2019 dated 14.03.2022, subject to the following conditions:-

a. The petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees five thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate, Katpadi.

b. The petitioner shall appear before the Judicial Magistrate, Katpadi on the first working day of every month at 10.30 a.m, pending disposal of criminal revision.

-sd/-

18/05/2022

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.



1 THE JUDICIAL MAGISTRATE,
KATPADI

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 INSPECTOR OF POLICE,
K.V.KUPPAM POLICE STATION,
VELLORE DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

C.C. to M/S E.KANNADASAN Advocate on payment of necessary
charges sr.7583

Order

in
CRL MP.Nos.6564 & 6572 of 2022

in CRL.R.C.NO.630/2022

Date :18/05/2022

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

RVR 23/05/2022