



WEB COPY



Crl.M.P.No.10430 of 2022 in
Crl.A.No.777 of 2022

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P.VELMURUGAN, J.

This petition has been filed seeking to suspend the sentence imposed on the petitioner by judgment dated 31.05.2022 in S.C.No.154 of 2017 on the file of the learned Judge, Mahalir Neethimandram, Chennai.

2. The learned counsel for the petitioner would submit that the petitioner who was arrayed as accused in S.C.No.154 of 2017 was convicted for the offence under Section 498-A of IPC and sentenced him to undergo 3 years rigorous imprisonment and to pay a fine of Rs.3,000/-, in default, to undergo three months simple imprisonment, and also convicted for the offence under Section 306 of IPC and sentenced him to undergo 10 years rigorous imprisonment and to pay a fine of Rs.10,000/-, in default, to undergo three months simple imprisonment.

3. The learned Government Advocate (Crl.Side) would submit that the marriage between the petitioner / first accused and the deceased was solemnized on 11.05.2014, and due to the cruelty and harassment of the



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petitioner/1st accused in connection with demand of dowry, the deceased committed suicide on 16.05.2016 within two years from the date of marriage.

The learned Sessions Judge, on proper appreciation of evidence, rightly convicted the petitioner, which warrants no interference.

4. Heard the learned counsel on either side and perused materials available on record.

5. It is seen from the records that the marriage between the petitioner and the Sudha (deceased) was solemnized during 2014 and the deceased committed suicide by hanging herself from the ceiling fan within a period of two years from the date of marriage. There is a substantive overt act attributed against the petitioner and the trial Court, after considering the entire materials, found that the accused committed offence and convicted and sentenced the petitioner. There is no ground made out to grant suspension of sentence to the petitioner.



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6.Considering the serious gravity of the offence committed by the petitioner under Sections 498-A of IPC and 306 of IPC, this Court is not inclined to grant suspension of sentence to the petitioner.

7. Accordingly, this miscellaneous petition is dismissed.

13.09.2022
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