



Crl.M.P.No.17341 of 2022 in Crl.A.No.158 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30..11..2022

Coram

The Honourable Mr. Justice **P.N.PRAKASH**
and
The Honourable Mr. Justice **RMT.TEEKAA RAMAN**

Crl.M.P.No.17341 of 2022
in
Crl.A.No.158 of 2021

1.Vinodh (A1)

2.Ranjith Kannan (A2)

..... Petitioners

-Versus-

The State Rep. By its
Inspector of Police,
Needamangalam Police Station,
Tiruvarur District.
[Crime No.6 of 2017]

.... Respondents

Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C.
praying to suspend the sentence imposed on the petitioners by judgment and
order dated 15.03.2021 passed in S.C.No.104 of 2017 on the file of the
Principal and Sessions Judge, Thiruvarur, and to enlarge the petitioners on
bail pending disposal of the appeal.



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For Petitioners : Mr.K.M.Subramanian

*For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor*

ORDER

[Order of the Court was made by P.N.PRAKASH.J.,]

This criminal miscellaneous petition has been filed seeking to suspend the substantive sentence imposed on the petitioners by judgment and order dated 15.03.2021 passed in S.C.No.104 of 2017 on the file of the Principal District and Sessions Judge, Thiruvarur, and to enlarge the petitioners on bail pending disposal of the appeal.

2. This is second petition for suspension of sentence and bail and in the earlier petition in Crl.M.P.Nos.9676 & 9677 of 2021, this court had granted suspension of sentence and bail only to Oviyaraj (A5) Neelamegam (A3), Sekar (A4) and Kalaivani (A6).

3. It is the case of the prosecution that the family of the deceased and the family of the accused were having some some civil disputes, in which, it is alleged that on the date of occurrence, viz., on 15.01.2017, during pongal holidays, the family of the accused attacked the deceased, in which, Vinoth (A1) has stabbed on the chest of the deceased with a screwdriver, which



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proved to be fatal. Hence, we are not inclined to grant suspension of sentence and bail to the 1st petitioner (A1) and therefore, the petition as against the 1st petitioner is liable to be dismissed.

4. As regards Ranjith Kannan, the 2nd petitioner (A2) is concerned, he is said to have caused laceration injuries on the deceased with a knife. Therefore, taking into consideration the nature of the allegations against 2nd petitioner Ranjith Kannan (A2) and the period of his incarceration, this court is inclined to grant suspension of sentence and bail to him.

In the result, this Criminal Miscellaneous petition is partly allowed and the petition qua Vinodh, the 1st petitioner (A1) is dismissed and the petition in respect of Ranjith Kannan, the 2nd petitioner (A2) is allowed. The substantive portion of the sentence imposed on Ranjith Kannan (2nd petitioner/A2) is suspended and he is enlarged on bail on the following conditions:-

(i) Ranjith Kannan, the 2nd petitioner/A2 shall execute a bond for a sum of Rs.25,000/-, with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Principal District and Sessions Judge, Tiruvarur;



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(ii) The sureties shall affix their photographs and Left Thumb

Impression in the surety bond and the trial Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity; and

(iii) Ranjith Kannan, the 2nd petitioner/A2 shall appear before the respondent/police everyday at 10.30 a.m. for a period of four weeks and thereafter, he shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

(P.N.P., J.) (TKR., J.)
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Index: Yes/No
kmk



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To

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1. Principal District and Sessions Judge, Tiruvarur.
2. Inspector of Police, Needamangalam Police Station, Thiruvarur District.
3. The Superintendent of Prison, Central Prison, Tiruchirapalli.
4. The Public Prosecutor, Madras High Court, Chennai – 600 104.



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AND
RMT.TEEKAA RAMAN.J.,

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