



Crl.M.P.No.17036 of 2022 in Crl.A.No.1164 of 2022

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WEB CO **P.VELMURUGAN,J.**

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence passed by the learned Principal Sessions Judge, Tiruppur in Spl.S.C.No.06 of 2015 dated 02.09.2021 and enlarge the petitioner on bail.

2. The petitioner is the accused and the respondent is the complainant. On conclusion of trial, the learned Sessions Judge found the petitioner guilty for the offence under Sections 498(A), 306 IPC and 3(2) (va) of SC/ST (PoA) Amendment Ordinance, 2014, and convicted and sentenced as stated below;

S.No.	Conviction	Sentence
1	Section 498(A) IPC	To undergo three years Rigorous Imprisonment and to pay fine of Rs.1000/-, in default to undergo simple imprisonment for further period of one month.
2	Sections 306 IPC and 3(2) (Va) of SC/ST (PoA) Amendment Ordinance, 2014	To undergo Rigorous Imprisonment for 10 years each and to pay fine of Rs.1000/- each, in default to undergo simple imprisonment for further period of one year each for offence under Sections 306 IPC and 3(2) (Va) of SC/ST (PoA) Amendment



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S.No.	Conviction	Sentence
		Ordinance, 2014 respectively.

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3. Challenging the said Judgment of conviction and sentence, the petitioner has preferred the above appeal in Crl.A.No.1164 of 2022 before this Court and pending appeal, the petitioner has filed the present petition in Crl.M.P.No.17036 of 2022 to suspend the sentence of imprisonment imposed by the Court below as stated above.

4. The case of the prosecution is the deceased belongs to scheduled caste community and the petitioner is the non member of scheduled caste community. The deceased and the petitioner fell in love with each other and subsequently, they got married and lived as husband and wife and out of their wedlock, they got a female child and during her life time, the petitioner used to torture the deceased and insulted her with caste name. Unable to bear the same, on 27.11.2013 at about 7 a.m., the deceased attempted to commit suicide by self immolation and she was rescued by the neighbours and admitted in the Government Hospital, Tiruppur. However, she died on 05.12.2013.

5. Heard both sides and perused the materials available on records.



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6. Admittedly, the offence is against a woman who had a love affair with the petitioner and subsequently married him. In the evidence of P.W.1/the mother of the deceased, it is clearly stated that the petitioner used to insult the deceased with her caste name and also harassed her by demanding dowry due to which, she committed suicide by self immolation. Since this Court is inclined to take up the main appeal soon after receiving the records from the trial Court, this Criminal Miscellaneous Petition filed by the petitioner seeking to suspend the sentence, is dismissed.

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