



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twelfth day of January Two Thousand and Twenty Two

PRESENT

WEB COPY

The Hon'ble Mr. Justice G.ILANGO VAN

CRL MP(MD) No.661 of 2022

IN

CRL RC(MD) No.34 of 2022

PANDURANGAN

... PETITIONER/PETITIONER

Vs

KRISHNAVENI @ POMMUTHAI

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed on the peittioner by the learned Additional District and Sessions Judge, Dindigul in Criminal Appeal No.44 of 2018 dated. 10.12.2021 by confirming the order passed in C.C.No.60 of 1996 on the file of the District Munsif cum Judicial Magistrate at Veda sandur, dated 22.05.2018 pending disposal of the above Criminal Revision Petition.

Prayer in CRL RC(MD) . 34/ 2022 :

To call for the records pertaining to the order of conviction in C.A. No. 44 of 2018 dated. 10.12.2021 passed by the learned Additional District and Sessions Judge, Dindigul in confirming the order passed by the Learned District Munsif cum Judicial Magistrate at Veda sandur in C.C.No.60 of 1996 on 22.05.2018 and set aside the same by allowing the Revision Petition.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S. MAHENDRAN.K., Advocate for the petitioner, the court made the following order:-

The petitioner was convicted by the Judgment dated 22.05.2018 by the learned District Munsif cum Judicial Magistrate, Veda sandur, in C.C.No.60 of 1996 in the following manner. The learned Judicial Magistrate, Veda sandur sentenced the petitioner to undergo two years simple imprisonment for the offence punishable under Section 494 IPC and to pay a fine of Rs.2,000/-, in default to undergo 3 months simple imprisonment. Against which criminal appeal in Crl.A.No.44 of 2018 has been filed before the learned Additional District and Sessions Judge, Dindigul. That appeal was dismissed and the sentence was confirmed by the appellate Court. Pending the appeal, the sentence was suspended by the appellate Court and fine amount was also paid. Against the dismissal, revision case in Crl.R.C.(MD). No.34 of 2022 has been filed along with this petition.



2. Heard the submissions of the learned Government Advocate (Criminal Side).

3. Having regard to the fact that there are arguable points involved in the revision and further, the revision is not likely to be taken up for final hearing in the near future and also considering the fact the petitioner is already enjoyed the suspension of sentence during the course of appeal proceedings, I am of the considered opinion that the same benefit can be extended during the revision of proceedings also and the petitioner is entitled for the relief of suspension of sentence.

4. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Vendasandur and on further condition that the petitioners shall appear before the said Court at 10.30 a.m. on the first working day of every English Calendar month, pending disposal of the appeal.

sd/-
12/01/2022

/ TRUE COPY /

12/01/2022
Sub-Assistant Registrar (C.S-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
DINDIGUL.
 2. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VEDASANDUR.
 3. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- +1 C.C. to M/s.K.MAHENDRAN, Advocate S.R.No.302.

ORDER IN
CRL MP(MD) No.661 of 2022
IN
CRL RC(MD) No.34 of 2022
Date :12/01/2022

USK/PN/SAR-I/12.01.2022/2P/5C

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