



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

Wednesday, the Second day of February Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice PUSHPA SATHYANARAYANA
and
The Hon`ble Mr.Justice P.VELMURUGAN

CRL MP(MD) No.1480 of 2022

IN

CRL A(MD)No.25 of 2022

MOORTHY @ THIRU MOORTHY

... APPELLANT/ACCUSED NO.5

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE
ABIRAMAM POLICE STATION,
ABIRAMAM,
RAMANATHAPURAM DISTRICT.
CR.NO. 54 OF 2006.

... RESPONDENT/COMPLAINANT

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 of Imprisonment imposed in SC.No.27 of 2007 dated 23.09.2020 by the Honble Additional District and Sessions Court,Paramakudi,Ramanathapuram District and enlarge the Petitioner/Appellant herein on bail.

PRAYER IN CRL A(MD)No.25 of 2022:

Pleased to call for records and set aside the order of conviction and sentence passed in S.C.NO.27 of 2007 dated 23.09.2020 on the file of Hon'ble Additional District Sessions Court, Paramakudi, Ramanathapuram District and allow this appeal and acquit the appellant.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.J.VIJAYARAJA, Advocate for the petitioner and of MR.S.RAVI, Additional Public Prosecutor on behalf of the Respondent,While admitting the Criminal Appeal, the court made the following order:-

(Order of the Court was made by P.VELMURUGAN,J)

This Petition is filed seeking to suspend the sentence of imprisonment imposed on the Petitioner herein/A5 in S.C.No.27 of 2007, dated 23.09.2020 by the Additional District and Sessions Court, Paramakudi, Ramanathapuram District.



2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. A perusal of the records would show that the co-accused in this case, who is arrayed as A1, has filed Crl.A(MD)No.355 of 2021, in which, petition for suspension of sentence has been filed by the Petitioner therein and this Court on going through the facts and materials placed before this Court, had dismissed the said application. The present application for suspension of sentence has been filed by Accused No.5 in the said case.

4. Since the Petition for suspension of sentence in respect of the Co-accused/A1 has already been dismissed by this Court, the Petitioner herein/A5, who also falls in the similar line and hence, this petition also stands dismissed.

5. It is represented by the learned counsel for the Petitioner that yet another appeal in Crl.A(MD)No.27 of 2021 is filed by 6th accused and the same is also pending before this Court, for disposal.

6. Hence, the Registry is directed post this Criminal Appeal along with Crl.A(MD)No.355 of 2021 and Crl.A(MD)No.27 of 2021.

sd/-
02/02/2022

/ TRUE COPY /

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

vsn

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

1 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE, PARAMAKUDI,
RAMANADHAPURAM DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON,

<https://hcservices.madras.gov.in/hcservices/>



3 THE INSPECTOR OF POLICE ,
ABIRAMAM POLICE STATION, ABIRAMAM,
RAMANATHAPURAM DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP (MD) No.1480 of 2022
IN
CRL A (MD) No.25 of 2022
Date :02/02/2022

PKP/JM/SAR-1/08.02.2022/3P/5C