



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

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

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.2440 of 2022

IN

CRL A(MD) No.50 of 2022

GANESAN

... PETITIONER/APPELLANT

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
SEITHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CR.NO.358 OF 2011

... 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 imposed upon the petitioner by the Mahilir Neethimandram (Fast Track Court), Virudhunagar District in S.C.No. 80 of 2013 dated 09/12/2019 pending disposal of the Criminal Appeal.

PRAYER IN CRL A(MD) No.50 of 2022:

Pleased to call for the records and set aside the conviction and sentence passed by the Mahilir Neethimandram(Fast Track Mahila Court), Virudhunagar District at Srivilliputhur in S.C.No.80 of 2013 dated 09.12.2019.

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.LENIN KUMAR.T., Advocate for the petitioner and of Mr.M.AASHA, Government Advocate(Crl.side) on behalf of the Respondent, the Court made the following order:-

This Criminal Miscellaneous Petition has been filed to suspend the conviction and sentence imposed against the petitioner by the learned Judge, Mahilir Neethimandram (Fast Track Court), Virudhunagar District by its Judgment dated 09.12.2019 in S.C.No.80 of 2013, for the offence under Section 395 IPC. Against the Judgment of the trial Court, the petitioner has preferred an appeal before this Court and prays to suspend the sentence.



2.The learned Government Advocate (Crl.Side) submitted that the appellant is having seven previous cases, similar in nature. There is recovery of gold chain from the accused.

3.Considering the facts and circumstances of the case and also considering the nature of the offence, this Court finds no reason to suspend the sentence imposed on the petitioner. Hence this Criminal Miscellaneous Petition is dismissed.

sd/-
02/03/2022

/ TRUE COPY /

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

TO

- 1 THE JUDGE,
MAHALIR NEETHIMANDRAM, FAST TRACK MAHILA COURT,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 2 THE INSPECTOR OF POLICE
SEITHUR POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP (MD) No.2440 of 2022
IN
CRL A (MD) No.50 of 2022
Date :02/03/2022

SS/SBN/SAR:I/15.03.2022 : 2P/5C