



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

Monday, the Twenty Eighth day of March Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN
and
The Hon`ble Mr.Justice N.SATHISH KUMAR

CRL MP(MD) No.3169 of 2022
IN
CRL A(MD)No.327 of 2021

AYYASAMY

... PETITIONER/APPELLANT/
ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT
(CRIME NO. 508 OF 2015)

... RESPONDENT/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 execution of sentence by granting condition bail in S.C.No. 219/2017 on the file fo the Mahalir Neethimandram, Fast Track Mahila Court, Thanjavur Dated. 26.11.2018 till the disposal of the Criminal Appeal.

PRAYER IN CRL A(MD)No.327/2021:

Pleased to admit the Appeal on the file and call for the records from the lower court in S.C.No.219/2017 on the file of the Mahalir Neethimandram, Fast Track Mahila Court, Thanjavur, Thanjavur District dated 26.11.2018 and set aside the same 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 M/S.JULIET LATHA.N., Advocate for the petitioner and of Mr.A.THIRUVADIKUMAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

This is the second application for suspension of sentence. While disposing of the first application in CRL.M.P.[MD]No.5396 of 2021, the Hon'ble Division Bench of this Court has observed as follows:-

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



"6.From the evidence, it is seen that P.Ws.1 and 2 are the sons of the deceased and the petitioner/accused and they are the eyewitnesses to the occurrence. According to them, the occurrence had taken place in the house of the accused and in the quarrel, the accused attacked the deceased with iron rod on the head and caused her death and therefore, we find no reason to disbelieve their evidence. The discrepancies pointed by the learned counsel for the petitioner are all minor discrepancies which are not going to materially affect the case."

2.In view of the same, we do not think that it will be proper for us to reconsider the very same argument at this stage. Hence, this Criminal Miscellaneous petition is dismissed.

3.The Registry is directed to prepare the papers in the appeal and post the appeal on 18.04.2022.

sd/-

28/03/2022

/ 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,
THANJAVUR, THANJAVUR DISTRICT.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY.
- 3 THE INSPECTOR OF POLICE
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

- 1 THE SECTION OFFICER,
T & P SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL MP(MD) No.3169 of 2022
IN
CRL A(MD)No.327 of 2021
Date :28/03/2022