



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

Monday, the Fourteenth day of March Two Thousand and Twenty Two

PRESENT

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

Cr.l.MP(MD)No.3381 of 2022
in
Crl.A(MD)No.479 of 2021

NAGARAJ

... APPELLANT / ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
NORTH POLICE STATION, DINDIGUL CITY,
DINDIGUL
(CRIME NO. 1025 OF 2008)

... 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 against the petitioner in S.C. No. 125/2018 on the file of the Additional District and Sessions Court, Dindigul on 21.10.2021 and enlarge them on bail pending disposal of above Crl.A.

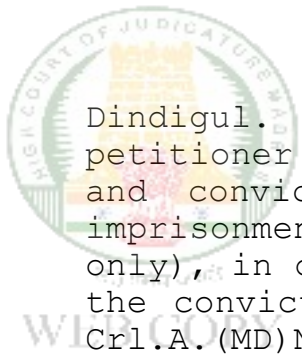
Prayer in Crl.A(MD)No.479 of 2021:

To call for the records relating to the judgment in S.C.No.125 of 2018 dated 21.10.2021 on the file of the Additional District and Sessions Court, Dindigul set aside the same and allow this appeal.

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.C.SUSI KUMAR, Advocate for the petitioner and of M/S.M.AASHA, Government Advocate (Crl. Side) on behalf of the Respondent, the court made the following order:-

This petition has been filed praying to suspend the sentence imposed against the petitioner in S.C.No.125 of 2018 by the Additional District and Sessions Court, Dindigul on 21.10.2021.

2. The case against the petitioner is that on 01.12.2008, at about 3.00 a.m., in the early morning hours, with a motive against one Kannan, the petitioner committed murder of one Karupaiah, who was sleeping in front of the shop of Kannan, falsely identifying him as Kannan. A case in Crime No.1025 of 2008 was registered against the petitioner. Later, the case was taken on file as S.C.No.125 of 2018 on the file of the Additional District and Sessions Judge,



Dindigul. The Additional District and Sessions Judge found the petitioner guilty under Section 304(1) IPC and altered the charge and convicted and sentenced him to undergo 10 years rigorous imprisonment and to pay a fine of Rs.5,000/- (Rupees Five Thousand only), in default, to undergo one month simple imprisonment. Against the conviction and sentence, the petitioner has filed an appeal in CrI.A.(MD)No.479 of 2021.

3.Considering the nature of the offence alleged to have been committed by the petitioner/appellant and also quantum of punishment imposed against him, this Court is of the view to suspend the sentence imposed in S.C. No.125 of 2018 till the disposal of Criminal Appeal No.479 of 2021 and also decided to grant bail subject to the following conditions.

4.In fine, this petition is allowed and the sentence imposed in S.C. No.125 of 2018 is alone suspended till the disposal of Criminal Appeal No.479 of 2021 and the petitioner shall be released on bail on executing a bond to the tune of Rs.10,000/- with two blood related sureties each for a likesum to the satisfaction of the Additional District and Sessions Court, Dindigul. The petitioner is directed to report before the Additional District and Sessions Court, Dindigul daily at 10.30 a.m., and 5.30 pm., until further orders.

sd/-

14/03/2022

/ TRUE COPY /

15/03/2022

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

TO

- 1 THE JUDGE,
ADDITIONAL DISTRICT AND SESSIONS COURT,
DINDIGUL.
- 2 THE INSPECTOR OF POLICE
NORTH POLICE STATION, DINDIGUL CITY, DINDIGUL
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

Cr.1.MP(MD)No.3381 of 2022
in
CrI.A(MD)No.479 of 2021
Date :14/03/2022

AAV

MK/PN/SAR.I/15.03.2022/2P/5C

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