



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

Thursday, the Twenty Eighth day of April 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.3539 of 2022

in

Crl.A(MD)No.221 of 2022

MARIYAPPAN

... APPELLANT/SOLE ACCUSED

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
BODI TALUK POLICE STATION,
THENI DISTRICT.
(IN CRIME NO.303/2015).

... 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 Appellant in SC No.7/2016 on the file of the Hon'ble Additional District and Sessions Court (Fast Track), Theni dated 27/10/2021 and release Appellant/Accused on Bail till the disposal of the appeal.

PRAYER IN Crl.A(MD)No.221 of 2022 :

Pleased to call for the entire records connected to the judgment in S.C.No.7 of 2016 on the file of the Hon'ble Additional District and Sessions Court (Fast Track, Theni dated 27.10.2021 and set aside the conviction and sentence imposed against 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.ALAGUMANI R, Advocate for the petitioner and of MR.A.THIRUVADI KUMAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

The petitioner seeks suspension of life sentence imposed on him for the offence under Sections 341, 307 and 302 of IPC.

2. The case of the prosecution was that the accused had previous enmity with the family of the victim since P.W.4 son of the victim has eve-teased his brother's daughter. In the quarrel that ensued, the accused has caused cut injury on the person of the deceased, which resulted in amputation of left hand and the consequent death.

3.We do not propose to dwell deep into evidence at this state.

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5. We, therefore, find that the accused has made out a *prima facie* case for grant of bail, pending appeal.

6. Accordingly, the Criminal Miscellaneous Petition is allowed and bail is granted, subject to the following conditions:

i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Additional District and Sessions Court (Fast Track), Theni.

ii. The petitioner shall appear before the Additional District and Sessions Court (Fast Track), Theni on the first and third Monday of every month at 10.30 a.m., till the disposal of the Criminal Appeal.

sd/-
28/04/2022

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29/04/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE ADDITIONAL DISTRICT AND SESSIONS JUDGE (FAST TRACK),
THENI.
2. THE INSPECTOR OF POLICE,
BODI TALUK POLICE STATION,
THENI 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.3539 of 2022
in
Crl.A(MD)No.221 of 2022
Date :28/04/2022

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