



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

Tuesday, the Twelfth 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.4016 of 2022
IN
CRL A(MD) No.44 of 2022

SELVARANI

... PETITIONER/APPELLANT/ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DISTRICT.
(CR.NO.170/2019)

... 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 of Sentence imposed in Judgement dated 30.07.2021 made in S.C.No.100/2019 on the file of the Principal District and Sessions Court, Pudukkottai.

PRAYER IN CRL A(MD) No.44 of 2022:

To set aside the Judgment dated 30.07.2021 made in S.C.No.100 of 2019 on the file of the Principal District and Sessions Court, Pudukkottai.

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.MAYILVAHANA RAJENDRAN C, Advocate for the petitioner and of MR.T.SENTHIL KUMAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

The petitioner seeks suspension of life sentence imposed on her for the offence under Sections 342 and 302 read with 34 I.P.C., vide judgment, dated 30.07.2021 in S.C.No.100 of 2019 on the file of the Principal District and Sessions Court, Pudukkottai.

2.Heard Mr.C.Mayilvahana Rajendran, learned counsel appearing for the petitioner and Mr.T.Senthil Kumar, learned Additional Public Prosecutor appearing for the State.



3.The petitioner was an Accused 2 in the said sessions case.

4.Mr.C.Mayilvahana Rajendran, learned counsel appearing for the petitioner would contend that the only allegation against Accused No. 2 is that she caught-hold the deceased to enable her husband to cause the injury which resulted in the death. He would therefore, submit that being a lady she should be enlarged on bail pending appeal, since she was on bail during trial.

5.Mr.T.Senthil Kumar, learned Additional Public Prosecutor would oppose the grant contending that the petitioner is the one who felicitated the offence.

6.Both the counsel would also draw our attention to the evidence to justify their contentions. We do not think that could be proper on our part to examine the evidence in depth and base our conclusion on such examination at this stage, however, considering the overt act and the nature of the offence, we are of the opinion that the petitioner can be released on bail. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment imposed on the petitioner alone is suspended, 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 Judicial Magistrate, Aranthangi.

ii. The petitioner shall appear before the Principal District and Sessions Court, Pudukkottai, at 10.30 a.m. on every Monday till the disposal of the Criminal Appeal.

sd/-
12/04/2022

/ TRUE COPY /

12/04/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
PUDUKKOTTAI.



2 THE JUDICIAL MAGISTRATE,
ARANTHANGI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DISTRICT.

5 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN,
TRICHY.

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

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-3252[I] dated
12/04/2022)

ORDER
IN
CRL MP(MD) No.4016 of 2022
IN
CRL A(MD) No.44 of 2022
Date :12/04/2022

RS/JM/SAR.4 (12.04.2022) 3P-8C