



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

Wednesday, the Twentieth day of April Two Thousand and Twenty Two

PRESENT

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

CRL MP(MD) No.5002 of 2022
IN
CRL A(MD) No.290 of 2022

R.KARMEGAM

... PETITIONER/APPELLANT/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
SS COLONY POLICE STATION,
MADURAI CITY.
(CRIME NO.681 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 sentence imposed on the petitioner by the Learned IV Additional District Sessions Court, Madurai by its judgement in S.C.No.254 of 2017 dated 25/03/2022 and enlarge him on bail pending disposal of the Criminal Appeal.

PRAYER IN CRL A(MD) No.290 of 2022:

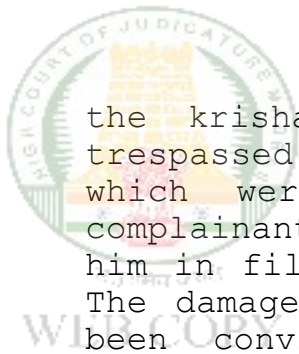
To call for the records of the impugned judgment made in S.C.No.254 of 2017 on the file of the Learned IV Additional District Sessions Court, Madurai dated 25.03.2022 and set aside the same.

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.JEGADEESH PANDIAN M, Advocate for the petitioner and of M/S.AASHA, Government Advocate (Crl.Side) on behalf of the Respondent, while admitting the Criminal Appeal, the court made the following order:-

This petition has been filed praying to suspend the sentence imposed on the petitioner by the learned IV Additional District Sessions Court, Madurai by its judgment in S.C.No.254 of 2017, dated 25.03.2022.

2.The case of the prosecution is that there exists a civil dispute between the petitioner and the defacto complainant. Hence on 24.07.2015 at about 10.00 am., when civil work was going on in

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



the krisha hotel, due to previous enmity the accused persons trespassed into the hotel and caused damage to the marble stones which were used to decorating the hotel. When the defacto complainant attempted to stop him,, the petitioner herein abused him in filthy language and also threatened with dire consequences. The damage was assessed about Rs. 2,27,065/-. The petitioner has been convicted by the trial Court for the alleged offences punishable under Section 447 of IPC and sentenced him to undergo three months simple imprisonment and for offence under Section 425 of IPC sentenced him to undergo one year simple imprisonment and imposed a fine of Rs.5,000/-, in default to undergo three months simple imprisonment and acquitted for the offence under Section 294 (b) and 506(ii) of IPC.

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.254 of 2017 till the disposal of Criminal Appeal No.290 of 2022 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.254 of 2017 is alone suspended till the disposal of Criminal Appeal No.290 of 2022 and the petitioner shall be released on bail on executing a bond to the tune of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Judicial Magistrate V, Madurai. The petitioner is directed to report before the learned Judicial Magistrate V, Madurai, daily at 10.30 a.m., until further orders.

sd/-
20/04/2022

/ TRUE COPY /

22/04/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE IV ADDITIONAL DISTRICT SESSIONS JUDGE,
MADURAI.

2 THE JUDICIAL MAGISTRATE NO.V,
MADURAI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,

<https://hcserv.mad.hi.gov.in/dcs/true>



4 THE INSPECTOR OF POLICE
SS COLONY POLICE STATION,
MADURAI CITY.

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

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-3616[I] dated
21/04/2022)

ORDER
IN
CRL MP(MD) No.5002 of 2022
IN
CRL A(MD) No.290 of 2022
Date :20/04/2022

RS/VR/SAR.2 (22.04.2022) 3P-7C