



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

Monday, the Twenty Eighth day of November Two Thousand and Twenty
Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.6785 of 2022

IN

CRL RC(MD) No.547 of 2022

SEVUGAN

... PETITIONER/PETITIONER

Vs

State Rep.by
THE INSPECTOR OF POLICE
PALLATHUR POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.159 OF 2008.

... RESPONDENT/RESPONDENT

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 C.A.No.27 of 2020 on the file of the Learned Additional District and Sessions Judge, Sivagangai dated 28.02.2022 in C.C.No.23 of 2018 on the file of the Learned Principle District Munsif cum Judicial Magistrate, Karaikudi, dated 13.10.2020 and enlarge the petitioner on bail, pending disposal of the Crl.R.C.

Prayer in CRL RC(MD).547/2022 :

To call for the records and set aside the judgment in C.A. No. 27 of 2020 on the file of the Learned Additional District and Sessions Judge, Sivagangai dated 28.02.2022 in confirming the Judgment C.C.No.23 of 2018 on the file of the Learned Principal District Munsif cum Judicial Magistrate, Karaikudi dated 13.10.2020 and acquit the petitioner / Appellant / Accused No.2 from the charges leveled against him.

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.AJU TAGORE.P., Advocate for the petitioner and of MR.S.MANIKANDAN, Government Advocate (Crl.Side) on behalf of the Respondent, the court made the following order:-

The petitioner seeks for suspension of the substantive sentence of imprisonment imposed on him in Crl.A.No.27 of 2020, dated 28.02.2022, by the learned Additional District and Sessions Judge, Sivagangai confirming the conviction and sentence of imprisonment



imposed by the learned Principal District Munsif cum Judicial Magistrate, Karaikudi, in C.C.No.23 of 2018 by the judgment dated 13.10.2020.

2.The learned counsel appearing for the petitioner submitted that the petitioner has been convicted and sentenced by the trial Court, to undergo Rigorous Imprisonment, for a period of one year each and to pay a fine of Rs.1,000/- each, in default to undergo simple imprisonment for a period one month, for the offence under Section 324 IPC (2 counts), to undergo Rigorous Imprisonment, for a period of two years and to pay a fine of Rs.2,000/-, in default to undergo simple imprisonment for a period one month, for the offence under Section 326 IPC, to undergo Rigorous Imprisonment, for a period of one year each and to pay a fine of Rs.1,000/- each, in default to undergo simple imprisonment for a period one month, for the offence under Section 506(ii).

3.Challenging the above said conviction and sentence, the petitioner has preferred the present Criminal Revision Case, along with the instant miscellaneous petition seeking suspension of sentence.

4.The learned counsel appearing for the petitioner submitted that as per the order of this Court, the petitioner has surrendered before the concerned Court on 08.07.2022 and now, he is in custody.

5.Considering the period of incarceration undergone by the revision petitioner, the sentence imposed on the petitioner is suspended, pending disposal of the Criminal Revision Case, with the following conditions:-

- 1.The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Judicial Magistrate, Karaikudi.
- 2.The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and
- 3.The petitioner shall appear before the trial Court daily at 10.30 a.m until further orders.

sd/-

28/11/2022

/ TRUE COPY /

28/11/2022

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



TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, SIVAGANGAI.

2 THE PRINCIPLE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, KARAIKUDI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

4 THE INSPECTOR OF POLICE, PALLATHUR POLICE STATION,
SIVAGANGAI DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

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

ORDER
IN
CRL MP(MD) No.6785 of 2022
IN
CRL RC(MD) No.547 of 2022
Date :28/11/2022

PNM
RS/VR/SAR.(28.11.2022) 3P-7C