



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

Wednesday, the Eleventh day of May Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP(MD) No.5821 of 2022
in
Crl.A(MD) No.336 of 2022

1. ARUNACHALAM @ THANGARAJ
2. SEKARAN
3. KABILDEV
4. JOHN JEBADURAI @ DURAI
5. WILSON RAJKUMAR
6. BACKIYAM

... APPELLANTS/PETITIONERS

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
KADAYAM POLICE STATION,
TIRUNELVELI DISTRICT.

... 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 SC.No.193/2016 dated 13.04.2022 passed by the learned Sessions Judge, Mahila Court, Tirunelveli and enlarge the petitioner on bail pneding disposal of the above appeal.

PRAYER IN Crl.A(MD)No. 336 of 2022 :

Pleased to call for the records in S.C.No.193 of 2016 dated 13.04.2022 passed by the Learned Sessions Judge, Mahila Court, Tirunelveli and to 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. RAJIV RUFUS.V., Advocate for the petitioner and of MR.S.RAVI, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

This petition has been filed praying to suspend the sentence imposed against the petitioners in Sessions Case No.193 of 2016 dated 13.04.2022 by the learned Sessions Judge, Mahila Court, Tirunelveli.



2. The case of the prosecution is that with regard to sand erosion, there was wordy quarrel between the parties, due to which, A2 and A5 attempted to attack with knife and arival and other accused also took out the wooden sticks and damaged the electronic weight machine. In that incident, some persons were sustained injuries and the accused intimidated the witnesses. Hence the case was registered in Crime No.159 of 2014 and Section 307 of IPC is the major offence and after completing enquiry, the respondent police filed charge sheet in S.C. No. 193 of 2016 on the file of the learned Sessions Judge, Mahila Court, Tirunelveli. After the trial, the accused were convicted for the offences.

3.Considering the nature of the offences alleged to have been committed by the petitioners/appellants and also quantum of punishment imposed against them, this Court is of the view to suspend the sentence imposed in S.C.No.193 of 2016 till the disposal of Criminal Appeal No.336 of 2022 and also decided to grant bail subject to the following conditions.

4.In fine, this petition is allowed and the sentence imposed on the petitioners herein in S.C.No. 193 of 2016 is alone suspended till the disposal of Criminal Appeal No.336 of 2022 and the petitioners shall be released on bail on executing a bond to the tune of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties each for a likesum to the satisfaction of the learned Sessions Judge, Mahila Court, Tirunelveli.. The petitioners are directed to report before the learned Judicial Magistrate, Amabasamuthiram, once in a month (i.e.,) first Monday of every month at 10.30 a.m., until further orders.

sd/-
11/05/2022

/ TRUE COPY /

11/05/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SESSIONS JUDGE,
MAHILA COURT,
TIRUNELVELI.
2. THE JUDICIAL MAGISTRATE,
AMBASAMUTHIRAM.
3. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



4. THE INSPECTOR OF POLICE,
KADAYAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 C.C. TO M/S.G.KARUPPASAMY PANDIAN, ADVOCATE, S.R.NO.4612 (I),
DATE : 12.05.2022.

ORDER
IN
CRL MP (MD) No.5821 of 2022
in
Crl.A (MD) No.336 of 2022
Date :11/05/2022

cm/ssb
USK/PN/SAR-IV/11.05.2022/3P/7C