



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

Thursday, the Nineteenth day of May Two Thousand and Twenty Two
PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

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CRL MP(MD) No.5963 of 2022

IN

CRL RC.(MD)No.465 of 2022

JEYAMUTHU KUMANAN

... PETITIONER/APPELLANT/
ACCUSED (SOLE)

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
POOVANDHI POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.180/2008).

... 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 enlarge the petitioner on bail by suspending the sentence imposed by the learned Judicial Magistrate No.II, Sivagangai in CC.No.35/2009 vide its order dated 12/06/2014 which was subsequently confirmed by the learned Sessions Judge, Fast Track Mahila Court, Sivagangai District in C.A.No.28 of 2014 vide his judgment dated 01.04.2022 pending the disposal of the main criminal revision petition.

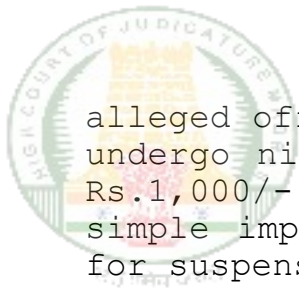
Prayer in Crl.RC(MD) .465/2022:

Pleased to call for the entire records and set aside the Judgment in C.A.No.28 of 2014 dated 01.04.2022 on the file of the learned Sessions Judge, Fast Track Mahila Court, Sivagangai District confirming the Judgment passed in C.C.No.35 of 2009 on the file of the learned Judicial Magistrate No.II, Sivagangai District dated 12.06.2014 in Crime No.180 of 2008 on the file of the respondent police.

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.DHILIPAN PANDIAN.R.L., Advocate for the petitioner and of M/s.M.AASHA, Government Advocate(crl.side) on behalf of the Respondent, While admitting the CRL.RC, the court made the following order:-

This petition is filed to suspend the sentence imposed by the judgment dated 01.04.2022 passed in C.A.No. 28 of 2014 on the file of the Sessions Judge, Fast Track Mahila Court, Sivagangai District confirming the judgement dated 12.06.2011 passed in C.C.No.35 of 2009 on the file of the Judicial Magistrate Court No.II, Sivagangai.

2.The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the Sessions Judge for the



alleged offence punishable under Section 304(A) IPC and sentenced to undergo nine months R.I. each for two counts and to pay a fine of Rs.1,000/- each for two counts in default to undergo one month simple imprisonment. The petitioner has filed the present petition for suspension of sentence pending disposal of the revision.

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3. The learned counsel appearing for the petitioner prayed that the sentence to be suspended till the disposal of the revision.

4. Heard the submission of the learned Government Advocate (Crl.Side).

5. Considering the facts and circumstances of the case, I am of the considered opinion that the petitioner is entitled for the relief of suspension of sentence.

6. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sivagangai District, and on further condition that the petitioner shall appear before the said Court weekly once i.e., on every Wednesday at 10.30 a.m. pending disposal of the revision.

sd/-

19/05/2022

/ TRUE COPY /

20/05/2022

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SESSIONS JUDGE,
FAST TRACK MAHILA COURT, SIVAGANGAI DISTRICT.

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

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

ORDER IN

CRL MP(MD) No.5963 of 2022
IN

CRL RC.(MD)No.465 of 2022
Date :19/05/2022

SA/SVR/SAR.2/20.05.2022/2P/6C

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