



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

CRL MP(MD) Nos.5912 & 5915 of 2022
IN
CRL RC(MD) No.455 of 2022

V.SORAMUTHU

... PETITIONER/REVISION PETITIONER
IN BOTH CRL MP'S

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.12/2006).

... RESPONDENT/REVISION RESPONDENT
IN BOTH CRL MP'S

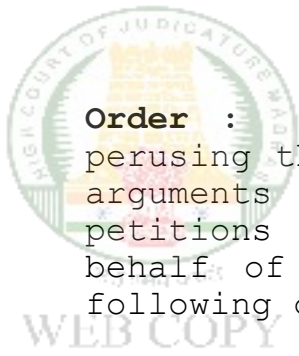
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed by the Learned Additional District and Sessions Judge, Srivilliputhur in CA No.96/2011 dated 18/04/2022 while confirming the conviction and sentence imposed by the Learned Judicial Magistrate Court-II, Srivilliputhur in CC No.53/2007 vide his judgment dated 18.07.2011 pending the disposal of the main criminal revision petition pending on the file of this Hon'ble Court.

Prayer in CRL MP(MD) . 5915/ 2022 :

To exempt the petitioner from surrendering before the trial court in pursuance to the judgement rendered by the Learned Additional District and Sessions Judge, Srivilliputtur in CA No.96/2011 dt.18/4/2022 while confirming the conviction and sentence imposed by the learned Judicial Magistrate Court-II, Srivilliputtur in C.C.No.53/2007 vide his judgment dated 18.07.2011 pending the disposal of the main Criminal Revision Petition pending on the file of this Hon'ble Court.

PRAYER IN CRL RC(MD) No.455 of 2022:

To call for the entire records relating to the impugned order in C.A.No.96 of 2011 on the file of the Additional District and Sessions Court, Srivilliputtur dated 18.04.2022 confirming the judgment of conviction made in C.C.No.53/2007 on the file of the Learned Judicial Magistrate Court No.II, Srivilliputtur dated 18.07.2011 and set aside the same and acquit the petitioner 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.G.MARIAPPAN, Advocate for the petitioner in both petitions and of M/S.M.AASHA, Government Advocate (Crl.Side) on behalf of the Respondent in both petitions, the court made the following order:-

This petition is filed to suspend the sentence imposed by the judgment dated 18.04.2022 passed in C.A.No. 96 of 2011 on the file of the Additional District and Sessions Judge, Srivilliputtur confirming the judgement dated 18.07.2011 passed in C.C.No.53 of 2007.

2.The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the Sessions Court for the alleged offence punishable under Section 498(A) IPC and sentenced to undergo Simple Imprisonment for a period of one year and to pay a rigorous fine of Rs.2000/- (Rupees two thousand only) in default to undergo two months simple imprisonment. The petitioner has filed the present petition for suspension of sentence pending disposal of the revision.

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, Srivilliputtur, 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. CRL MP(MD) No.5915 of 2022 is ordered. The petitioner is ordered to appear before the concerned Magistrate whenever his presence is required.

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 ADDITIONAL DISTRICT AND SESSIONS JUDGE,
SRIVILLIPUTTUR.

2 THE JUDICIAL MAGISTRATE NO.II,
SRIVILLIPUTTUR.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.G.MARIAPPAN, Advocate (SR-4948[I] dated 20/05/2022)

ORDER IN

CRL MP(MD) Nos.5912 & 5915 of 2022
IN

CRL RC(MD) No.455 of 2022

Date :19/05/2022

RS/VR/SAR.4 (25.05.2022) 3P-7C