



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) No.5988 of 2022

IN

CRL RC.(MD)No.472 of 2022

UDAYAKUMAR

... PETITIONER/REVISION PETITIONER.

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE  
THIRUCHUZH POLICE STATION,  
ARUPPUKOTTAI,  
VIRUDHUNAGAR DISTRICT  
(CRIME NO. 216 OF 2013)

... 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 by the learned Additional District and Sessions Judge, Virudhunagar in C.A.No.9/2017 dated 19.04.2022 while confirming the conviction and sentence imposed by the learned Judicial Magistrate Court, Aruppukottai, Virudhunagar in C.C. No. 55/2014, vide his judgment dated. 09.01.2017.

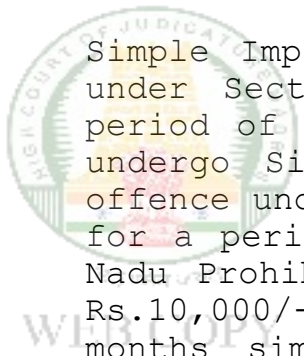
Prayer in CRL RC(MD). 472/ 2022 :

To call for the entire reocrds relating to the impugned order in Crl A.No.9/2017 on the file of the Additional District and Sessions Judge, Virudhunagar dated 19.04.2022 confirming the Judgment and conviction made in C.C.No.55/2014 on the file of the learned Judicial Magistrate Court, Aruppukottai, Virudhunagar in C.C. No. 55/2014, Dated. 09.01.2017 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. MARIAPPAN G, Advocate for the petitioner and of on M/s.M.Aasha, Government Advocate(Crl.side),behalf of the Respondent, the court made the following order:-

This petition is filed to suspend the sentence imposed by the judgment dated 09.01.2017 passed in C.C.No.55 of 2014 on the file of the learned Judicial Magistrate, Aruppukottai, Virudhunagar, which was confirmed by the learned Additional District and Sessions Judge, Virudhunagar in C.A.No.9 of 2017 dated 19.04.2022.

2.The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the Additional District and Sessions Judge, Virudhunagar, for the alleged offence punishable under Sections 323, 353 & 506 (i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and sentenced to undergo



Simple Imprisonment for a period of three months for the offence under Section 323 of IPC, to undergo Simple Imprisonment for a period of six months for the offence under Section 353 of IPC, to undergo Simple Imprisonment for a period of six months for the offence under Section 506 (i) of IPC, to undergo Simple Imprisonment for a period of one year for the offence under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and to pay a fine of Rs.10,000/- (Rupees ten thousand only) in default to undergo three months simple imprisonment, which was confirmed by the learned Additional District and Sessions Judge, Virudhunagar. 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, Aruppukottai, Virudhunagar, 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, ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
  - 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTUR
  - 3 THE ADDITIONAL SESSIONS, DISTRICT AND SESSIONS JUDGE, VIRUDHUNAGAR.
  - 4 THE INSPECTOR OF POLICE, THIRUCHUZH POLICE STATION, ARUPPUKOTTAI,  
VIRUDHUNAGAR DISTRICT
  - 5 THE THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to M/S. MARIAPPAN G Advocate SR.No.4947

ORDER IN

CRL MP(MD) No.5988 of 2022 IN  
CRL RC.(MD) No.472 of 2022  
Date : 19/05/2022