



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

Monday, the Fifth day of September Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.9784 of 2022
in
CRL.RC(MD)No.788 of 2022

M.PALANICHAMY

... PETITIONER/REVISION PETITIONER/
APPELLANT/ACCUSED

Vs

P.T.SOUNDARAPANDIAN
REP.BY ITS POWER OF ATTORNEY
DINAKARAN

... RESPONDENT/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 Suspend the Sentence pursuant to the judgement of conviction render by the CA.No.125 of 2019 dated.19.3.2020 by the VI Additional District and Sessions Judge, Madurai by confirming the judgement in STC.No.198 of 2017 dated 30.09.2019 by the Fast Track Court No.II (Judicial Magistrate) Madurai, pending disposal of the above Criminal Revision Petition.

PRAYER IN CRL.RC(MD)No.788 of 2022 :

To call for the records in CA.No.125 of 2019 dated 19.03.2020 by the VI Additional District and Sessions Judge, Madurai by confirming the judgement in STC.No.198 of 2017 on the file of the Fast Track Court No.II (Judicial Magistrate) Madurai dated 30.9.2019 and duly set aside the judgment of the courts below by acquitting the Revision Petitioner.

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.JULIAT LATHA, Advocate for the petitioner, while admitting the Crl.R.C., the court made the following order:-

This petition has been filed to suspend the sentence imposed by the Fast Track Court No.II (Judicial Magistrate), Madurai, in S.T.C.No.198 of 2017, dated 30.09.2019, which was confirmed by the learned VI Additional District and Session Judge, Madurai, in C.A.No.125 of 2019, dated 22.02.2022.



2.The learned counsel for the petitioner submitted the petitioner paid the entire disputed amount to the complainant, for which, he has also issued receipt dated 25.05.2022.

3.Heard the learned counsel for the petitioner and also perused the materials available on record.

4.The learned counsel for the petitioner pointed out that the entire amount has been settled out of the Court, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

5.Accordingly, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal 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 Fast Track No.II(JM), Madurai, and on further condition that the petitioner shall appear before the said Court once in a week at 10.30 a.m. pending appeal.

sd/-

05/09/2022

/ TRUE COPY /

06/09/2022

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

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE VI ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MADURAI.
2. THE JUDICIAL MAGISTRATE NO.II,
(FAST TRACK COURT), MADURAI.
3. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

ORDER IN

CRL MP(MD) No.9784 of 2022
IN

CRL.RC(MD)No.788 of 2022

Date :05/09/2022

USK/VR/SAR-IV/06.09.2022/2P/4C

<https://www.mhc.tn.gov.in/judis>