



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Twenty Third day of August Two Thousand and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P.(MD)No.9721 of 2022

in

Crl.R.C.(MD)No.782 of 2022

SIVAKAMI

... PETITIONER / PETITIONER

Vs

RAMASAMY GOUNDER

... 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 execution of sentence in CA.No.33 of 2012 dated 11.11.2013 on the file of the Learned Additional District and Sessions Court, Dindigul modifying the Judgment of the Learned Fast Track Court at Magisterial Level(Judicial Magisterial Court)at Palani, in C.C.No.112 of 2011 dated 27.02.2012 and enlarge the petitioner on bail, pending disposal of the Criminal Revision Petition.

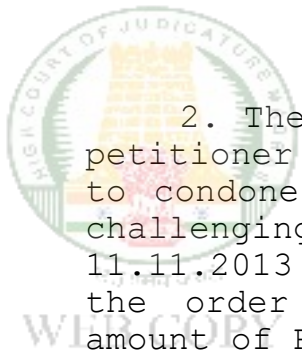
Prayer in CRL RC(MD). 782/ 2022 :

To call for the records from the Learned Additional District and Sessions Court, Dindigul in CA.No.33 of 2012 dated 11.11.2013 modifying the Judgment of the Learned Fast Track Court at Magisterial Level(Judicial Magisterial Court)at Palani, in C.C.No.112 of 2011 dated 27.02.2012 and set aside the same by allowing this Revision.

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.S.KARTHIK, Advocate for the petitioner and of MR.C.GANGAI AMARAN, Advocate on behalf of the Respondent, the court made the following order:-

This Criminal Miscellaneous Petition is filed seeking an order to suspend the execution of sentence in C.A.No.33 of 2012 dated 11.11.2013 on the file of the learned Additional District and Sessions Court, Dindigul, modifying the judgment of the learned Fast Track Court at Magisterial Level (Judicial Magistrate Court) at Palani, in C.C.No.112 of 2011 dated 27.02.2012 and enlarge the petitioner on bail, till the disposal of the Criminal Revision.

<https://www.mca.gov.in/>



2. The learned counsel for the petitioner would submit that the petitioner has filed an application in CrI.M.P.(MD)No.7938 of 2022 to condone the delay of 2356 days in filing the Criminal Revision challenging the judgment passed in C.A.No.33 of 2012 dated 11.11.2013 and this Court, vide order dated 28.07.2022, has passed the order directing the petitioner to deposit the compensation amount of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only).

3. In pursuance of the said order, the petitioner has already deposited the compensation amount before the trial Court.

4. The learned counsel for the respondent would submit that the respondent may be permitted to withdraw the said amount and they are not having any objection to grant the relief as claimed.

5. Considering the above facts and circumstances and also the facts that the petitioner has already deposited the compensation amount as directed by this Court and that the respondent is not having any objection, this Court is inclined to suspend the execution of sentence. The respondent is permitted to withdraw the compensation amount deposited by the petitioner.

6. Accordingly, the relief of suspend the execution of sentence and bail is granted to the petitioner on the following conditions:-

(i) the petitioner is directed to execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Fast Track Court at Magisterial Level (Judicial Magisterial Court) at Palani ;

(ii) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

(iii) The petitioner shall appear before the trial Court on all working days at 10.30 a.m., until further orders and if she is not able to appear before the trial Court on any day, she shall make arrangements to file an application under Section 317 of Cr.P.C and shall appear before the trial Court on any other day in lieu of the date of her absence, as directed by the trial Court.

sd/-

23/08/2022

/ TRUE COPY /

23/08/2022

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



TO

1 THE JUDGE,
ADDITIONAL DISTRICT AND SESSIONS COURT,
DINDIGUL.

2 THE JUDGE,
FAST TRACK COURT AT MAGISTERIAL LEVEL
(JUDICIAL MAGISTERIAL COURT)
PALANI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

+1. C.C. to M/S.KARTHIK S Advocate SR.No.39385 (F)

ORDER
IN
Crl.M.P. (MD) No.9721 of 2022
in
Crl.R.C. (MD) No.782 of 2022
Date :23/08/2022

csm
MK/PN/SAR.III/23.08.2022/3P/6C