



WEB COPY

CRL MP(MD)



22

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

Thursday, the Fourteenth day of July Two Thousand and Twenty Two  
PRESENT

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

CRL MP(MD) No.8012 of 2022

IN

CRL A(MD) No.430 of 2022

SURYARAMAN

... PETITIONER/APPELLANT

**Vs**

STATE REP.BY  
THE INSPECTOR OF POLICE  
MANAMELKUDI POLICE STATION,  
PUDUKKOTTAI DISTRICT.  
CRIME NO.7 OF 2019.

... 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 of Imprisonment imposed in SC.No.91 of 2019 on the file of the Learned Principal District and Sessions Judge, Pudukkottai dated 28.06.2022 and enlarge the Petitioner/Appellant on bail, pending disposal of the above said Criminal Appeal.

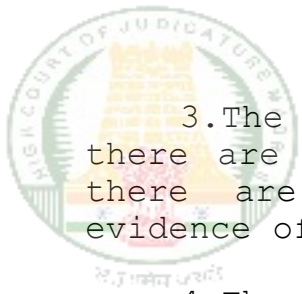
**Prayer in CRL A(MD).430 of 2022 :**

To call for the records and set aside the Judgment and Conviction dated 28.06.2022, by the learned Principal District and Sessions Judge, Pudukkottai in S.C.No.91 of 2019 and acquit the Appellant.

**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.D.RAMESHKUMAR, Advocate for the petitioner and of MR.B.NAMBI SELVAN, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

This petition has been filed to suspend the sentence passed in S.C.No.91 of 2019, dated 28.06.2022, on the file of the learned Principal District and Sessions Judge, Pudukkottai, till the disposal of this Criminal Appeal.

2.The learned counsel appearing for the petitioner submitted that the trial Court convicted the petitioner in S.C.No.19 of 2019, dated 28.06.2022, on the file of the learned Principal District and Sessions Judge, Pudukkottai, for the offence under Section 325 IPC and sentenced him to undergo one year Rigorous Imprisonment and to pay a fine of Rs.5,00,000/- in default to undergo two years Simple Imprisonment. Challenging the above said conviction and sentence, the petitioner has preferred the present Criminal Appeal along with the above Miscellaneous Petition seeking suspension of sentence.



3.The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case and further there are contradictions in material particulars between the evidence of the prosecution witnesses.

4.The learned Additional Public Prosecutor submitted that there are enough materials available on record against the petitioner and hence, he strongly opposed to grant suspension of sentence.

5.This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.

6.The learned counsel for the petitioner pointed out that certain infirmities and inconsistencies in this case and also certain contradictions in material particulars. The fact remains that there are arguable points involved in this criminal appeal and further the criminal appeal is not likely to be taken up for final hearing in the near future and as such, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

7.Accordingly, the relief of suspension of sentence is granted to the petitioner on the following conditions:-

(i) The petitioner shall 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 Judicial Magistrate, Aranthangi, Pudukkottai District ;

(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 concerned Court on all working days at 10.30 a.m., until further orders and if he is not able to appear before the trial Court on any day, he 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 his absence, as directed by the trial Court.

sd/-

14/07/2022

/ TRUE COPY /

18/07/2022

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



TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, PUDUKKOTTAI.

2 THE JUDICIAL MAGISTRATE, ARANTHANGI, PUDUKKOTTAI DISTRICT.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.

4 THE INSPECTOR OF POLICE, MANAMELKUDI POLICE STATION,  
PUDUKKOTTAI DISTRICT.

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

ORDER

IN

CRL MP(MD) No.8012 of 2022

IN

CRL A(MD) No.430 of 2022

Date :14/07/2022

RS/PN/SAR.2 (18.07.2022) 3P-6C