



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

Wednesday, the Ninth day of February Two Thousand and Twenty Two
PRESENT

**The Hon`ble Mr.Justice R.SUBRAMANIAN
and**

**The Hon`ble Mr.Justice N.SATHISH KUMAR
CRL MP(MD) No.6763 of 2021**

**IN
CRL A(MD) No.377 of 2021**

MARUDHU PANDI

... PETITIONER/APPELLANT

Vs

THE INSPECTOR OF POLICE
PARTHIPANUR POLICE STATION,
RAMANATHAPURAM DISTRICT.

... 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 by the learned Fast Track Mahila Court, Ramanathapuram in S.C.No.29 of 2016 dated 30/03/2021 and enlarge the petitioner on bail, pending disposal of above Criminal Appeal.

PRAYER IN CRL A(MD) No.377 of 2021:

Pleased to call for the records and set aside the judgment and conviction dated 30.03.2021 passed by the learned Fast Track Court, Ramanathapuram in S.C.No.29 of 2016 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.KARUPPASAMY PANDIAN.G, Advocate for the petitioner and of Mr.S.Ravi, Additional Public Prosecutor on behalf of the Respondent, the Court made the following order:-

This Petition has been filed to suspend the sentence imposed on the Petitioner by the trial Court for the offence under Section 302 of IPC(life imprisonment and fine).

2.Heard Mr.G.Karuppasamy Pandian, learned counsel appearing for the Petitioner and Mr.S.Ravi, learned Additional Public Prosecutor appearing for the respondent/State and perused the materials placed before this Court.

3.The learned counsel for the Petitioner mainly urged that P.W.2 is the only witness, who has witnessed the occurrence, there is no other corroborative evidence on the side of the prosecution to prove their case. It is the further submission that the entire



occurrence is a result of a sudden quarrel between the parties. Therefore, taking note of the above circumstances, suspension of sentence is to be ordered.

4. On a perusal of the material placed before this Court, it is seen that the learned Trial Court has perused the evidence of the eyewitness to the occurrence and considering the nature of the injuries namely, indiscriminate cut injuries, has awarded the punishment. At this stage, taking note of the circumstances in which injuries were caused, we are not inclined to suspend the sentence, as sought for by the Petitioner.

5. Accordingly, this Petition for suspension of sentence stands dismissed.

sd/-

09/02/2022

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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 JUDGE,
FAST TRACK MAHILA COURT,
RAMANATHAPURAM.
- 2 THE INSPECTOR OF POLICE
PARTHIPANUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL MP(MD) No.6763 of 2021

IN

CRL A(MD) No.377 of 2021

Date : 09/02/2022