



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

Tuesday, the Twenty Ninth day of March 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.10892 of 2021
in
Crl.A(MD)No.509 of 2021

REKA

... PETITIONER/ SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PAPANASAM POLICE STATION,
THANJAVUR DISTRICT
CRIME NO.354 OF 2016.

... 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 imposed against the appellant in SC.No.44 of 2017 on the file of the Hon'ble Mahila Court(Fast Track Mahila Court), Thanjavur dated 4/1/2020 and release the petitioner on bail till the disposal of the main appeal.

PRAYER IN Crl.A(MD)No.509 of 2021:

To call for the entire records connected to the judgment in S.C.No.44 of 2017 on the file of the Hon'ble Mahila Court(Fast Track Mahila Court), Thanjavur dated 4/1/2020 and set aside the conviction and sentence imposed against 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 Mr.R.ALAGUMANI, Advocate for the petitioner and of Mr.A.THIRUVADI KUMAR, Additional Public Prosecutor on behalf of the Respondents the court made the following order:-

The petitioner seeks suspension of life sentence imposed on her, vide judgment dated 04.01.2020 in S.C.No.44 of 2017 on the file of the Mahila Court(Fast Track Mahila Court), Thanjavur District, for the offence of murder her four years old son.



2. Heard Mr.R.Alagumani, learned counsel for the petitioner and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor for the State.

3. The conviction is based on the evidence of P.W.1. The other witnesses have not supported the case of the prosecution. The learned counsel for the parties would make a serious attempt to attack as well as justify the conviction based on the evidence. We do not think that we should go into the minute details, as the same would have effect on the disposal of the appeal.

4. On an overall analysis of the materials available on record, we find that it is a fit case where bail should be granted to the accused. Accordingly, the criminal miscellaneous petition is allowed and the substantive sentence of imprisonment imposed on the petitioner alone is suspended, subject to the following conditions:

i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judge, Mahila Court(Fast Track Mahila Court), Thanjavur.

ii.The petitioner shall appear before the Mahila Court(Fast Track Mahila Court), Thanjavur, at 10.30 a.m. on 1st and 4th Monday of every English Calendar month, till the disposal of the appeal.

sd/-

29/03/2022

/ TRUE COPY /

30/03/2022

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

TO

- 1 THE JUDGE,
MAHILA COURT(FAST TRACK MAHILA COURT),THANJAVUR.
- 2 THE INSPECTOR OF POLICE
PAPANASAM POLICE STATION, THANJAVUR DISTRICT.
- 3 THE OFFICER INCHARGE, SPECIAL PRISON FOR WOMEN, TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-2653[I] dated 29/03/2022)

ORDER IN

CRL MP(MD) No.10892 of 2021

IN CrI.A(MD)No.509 of 2021

Date :29/03/2022

PM

<https://hdcv.cse.courts.madras.gov.in/hcservices> MS/VS/69A/2022/2P.6C