



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

Tuesday, the Eighteenth day of October Two Thousand and Twenty Two  
PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**

CRL MP(MD) No.12406 of 2022  
IN  
CRL A(MD) No.642 of 2022

SUNIL

... PETITIONER/APPELLANT

**Vs**

1 THE STATE REP.BY  
THE DEPUTY SUPERINTENDENT OF POLICE,  
THIRUVARUR SUB DIVISION,  
THIRUVARUR DISTRICT.  
(KORADACHERRY POLICE STATION  
CRIME NO.90/2018)

2 AKILAN

3 SIVASANGAR

... RESPONDENTS/RESPONDENTS

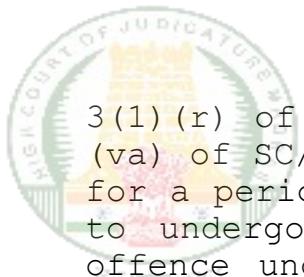
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Suspend the Sentence imposed on the petitioner by the learned I Additional District and Sessions Judge Thanjavur in S.S.C.No.101/2018 dt 06.10.2022 and release the petitioners on bail pending disposal of the above Criminal Appeal.

**PRAYER IN CRL.A(MD) .642/2022:**

Pleased to call for the records and set aside the judgment passed by the Learned I Additional District and Sessions Judge, Thanjavur in S.S.C.No.101 of 2018 dated 06.10.2022 and acquit the appellants herein.

**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.C.SENTHIL MURUGAN, Advocate for the petitioner and of Mr.RMS.SETHURAMAN, Additional Public Prosecutor on behalf of the 1<sup>st</sup> Respondent and Mr.A.MURALIKUMAR, Advocate for the Respondents No.2 & 3, While admitting the CRL.A., the court made the following order:-

The learned counsel for the petitioner submitted that the petitioner has been convicted by the learned I Additional District and Sessions Judge, Thanjavur, for the alleged offences under Sections 147 of IPC r/w Section 3(2) (va) of SC/ST (PoA) Act, Section



3(1)(r) of SC/ST(PoA) Act, Section 506(ii) of IPC r/w Sect: (va) of SC/ST (PoA) Act, and sentenced to undergo Simple Imprisonment for a period of 1 year and to pay a fine of Rs.5,000/-, in default to undergo simple imprisonment for a period of 5 weeks for the offence under Section 147 IPC r/w Section 3(2)(va) of SC/ST (PoA) Act, sentenced to undergo Simple Imprisonment for a period of 4 years and to pay a fine of Rs.10,000/-, in default to undergo Simple Imprisonment for a period of 5 weeks for the offence under Section 3(1)(r) of SC/ST (PoA) Act and sentenced to undergo Simple Imprisonment for a period of 1 year and to pay a fine of Rs.5,000/-, in default to undergo Simple Imprisonment for a period of 5 weeks for the offence under Section 506(ii) r/w 3(2)(va) of SC/ST (PoA) Act, in S.C.No.101 of 2018, on the file of the I Additional District and Sessions Judge, Thanjavur, dated 06.10.2022.

2.It is submitted by the learned counsel for the petitioner that after the trial process, compromise has been reached between the parties. Now, they are ready to compound the offences. The defacto complainant is represented by counsel.

3.Since the offences are non-compoundable in nature, the petitioner has to undertake the proper procedure.

4.In view of the above submission made by the learned counsel for the petitioner, 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 I Additional District and Sessions Judge, Thanjavur, and on further condition that the petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m pending appeal.

sd/-

18/10/2022

/ TRUE COPY /

/10/2022

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

TO

1 THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE,  
THANJAVUR.

2 THE SUPERINTENDENT,  
CENTRAL PRISON, TRICHY.



3 THE DEPUTY SUPERINTENDENT OF POLICE,  
THIRUVARUR SUB DIVISION,  
THIRUVARUR DISTRICT.

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

+1. C.C. to M/S.C.SENTHIL MURUGAN, Advocate SR.No.11584

**ORDER**

**IN**

CRL MP (MD) No.12406 of 2022

IN

CRL A (MD) No.642 of 2022

Date :18/10/2022

dss

SA/SBN/SAR. /19.10.2022/3P/6C