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CRL MP(MD) N



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

Monday, the Fourteenth day of November Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.13992 of 2022

in

Cr1.A(MD).No.147 of 2020

1 EGAMBARAM

2 RAMASAMY

... PETITIONERS/PETITIONERS

Vs

THE STATE REP. BY,
THE DEPUTY SUPERINTENDENT OF POLICE,
KARUR RURAL DIVISION,
KARUR DISTRICT.

(CRIME NO.171/2018).

... 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 Sessions Judge, Karur in SC.No.85/2018 by the Judgement dated 27.01.2020 and enlarge the Petitioners/Appellants on bail, pending disposal of the above said Criminal Appeal.

Prayer in Cr1.A(MD).No.147 of 2020 :

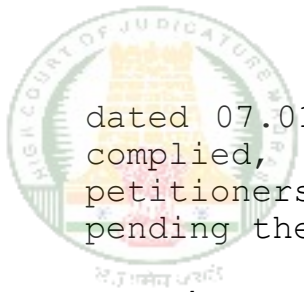
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to set aside the Judgment and Conviction dated 27.01.2020, by the learned Sessions Judge, Karur in S.C.No.85 of 2018 and acquit the Appellant.

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.MA.KARUNANITHI, Advocate for the petitioner and of MR.S.MANIKANDAN, Government Advocate (Cr1.Side) on behalf of the Respondent, the court made the following order:-

This petition is filed to suspend the sentence imposed by the learned Sessions Judge, Karur in S.C.No.85 of 2018 dated 27.01.2020, till the disposal of the appeal.

2. On 07.01.2021 in Cr1.M.P(MD).No.2851 of 2020 in Cr1.A(MD).No.147 of 2020 this Court had suspended the sentence imposed upon the petitioners with certain conditions.

3. On 27.09.2022, this Court was called for a report from the concerned Court as to whether the conditions imposed by this Court



dated 07.01.2021 has been complied or not. If the condition is not complied, the trial Court shall issue warrant, secure the petitioners and commit them to prison for serving the sentence, pending the appeal.

4. Report has been received from the trial Court stating that the conditional order was not complied by executing a bail bonds before the concerned Court and therefore, warrant has been issued against the accused persons and now they are arrested and remanded to judicial custody. Hence, the present petition has been filed seeking to suspend the sentence before this Court.

5. The learned counsel for the petitioners submitted that due to personal inconvenience and health issues, they could not appear before the concerned Court to execute the bail bonds.

6. Since the order of this Court was not complied with by executing bail bonds, this Court does not find any merits in the present petition. Accordingly, this Criminal Miscellaneous Petition is dismissed.

sd/-
14/11/2022

/ TRUE COPY /

08/12/2022

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

TO

1. THE SESSIONS JUDGE, KARUR.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
KARUR RURAL DIVISION, KARUR DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-13038[I] dated 15/11/2022)

ORDER IN
CRL MP(MD) No.13992 of 2022
in
Crl.A(MD).No.147 of 2020
Date :14/11/2022

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