



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

Friday, the Second day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH
and
The Hon`ble Mr.Justice N.ANAND VENKATESH

Crl.M.P.(MD)Nos.15059 and 14281 of 2022
in
Crl.A.(MD)No.794 of 2022

BALAGANESH

... PETITIONER/PETITIONER/APPELLANT/
ACCUSED NO.3
IN CRL MP(MD) No.15059/2022 IN
CRL A(MD) NO.794 OF 2022

... PETITIONER/APPELLANT/ACCUSED NO.3
IN CRL MP(MD) No.14281/2022 IN
CRL A(MD) NO.794 OF 2022

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
THEPPAKULAM POLICE STATION,
MADURAI CITY.
(CRIME NO.954 OF 2018).

... RESPONDENT/RESPONDENT/RESPONDENT/
COMPLAINANT
IN CRL MP(MD) No.15059/2022 IN
CRL A(MD) NO.794 OF 2022

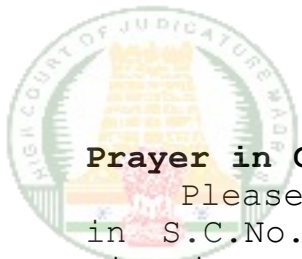
... RESPONDENT/RESPONDENT/COMPLAINANT
IN CRL MP(MD) No.14281/2022 IN
CRL A(MD) NO.794 OF 2022

Prayer in Crl.M.P.(MD)No.15059 of 2022 :

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to advance the hearing of suspension of sentence in Crl.MP(MD)No.14281 of 2022 in Crl.A(MD)No.794 of 2022.

Prayer in Crl.M.P.(MD)No.14281 of 2022 :

Pleaded to suspend the sentence imposed on the petitioner by the VI Additional District and Sessions Judge, Madurai by its judgment in S.C.No.82 of 2019, dated 14.07.2022 and enlarge the petitioner on bail pending disposal of the Criminal Appeal.

**Prayer in Crl.A. (MD) No.794 of 2022 :**

Pleaded to call for the records of the impugned judgment made in S.C.No.82 of 2019 on the file of the Learned VI Additional District and Sessions Judge, Madurai District dated 14.07.2022 and set aside the same.

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.JEGADEESH PANDIAN M, Advocate for the petitioner and of MR.A.THIRUVADI KUMAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by N. ANAND VENKATESH, J.)

Crl.M.P(MD)No.15059 of 2022, this petition has been filed for advancing the hearing of suspension of sentence petition filed in Crl.M.P(MD)No.14281 of 2022.

2.The judgment and order was passed by the Court below on 14.07.2022 and considering the allegations made in this case, we are not inclined to advance the hearing of suspension of sentence petition. Hence, this petition is closed.

3.The record placed before us shows that the wife of the petitioner is in her advanced stage of pregnancy. She will deliver a child any time in this month. It is stated that there is no family support to the wife of the petitioner from any side and the petitioner has to take care of her.

4.The learned Additional Public Prosecutor has also taken instruction in this regard and submitted that the facts as stated by the petitioner, is correct.

5.In view of the same, we are inclined to grant interim bail to the petitioner subject to the following conditions:

(a)The petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only)along with one surety for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Madurai.

(b)The petitioner shall report before the respondent police every Monday at 06.00 p.m., during the entire period of the interim bail and

(c)this order shall be in force till 10.02.2023. Thereafter the petitioner is directed to surrender before the Central Prison, Madurai.



6.It is left open to the petitioner to request for hearing of the suspension of sentence petition on the next date of hearing.

sd/-
02/12/2022

WEB COPY

/ TRUE COPY /

02/12/2022

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

TO

1. THE VI ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MADURAI.
2. THE JUDICIAL MAGISTRATE NO.I,
MADURAI.
3. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
4. THE INSPECTOR OF POLICE,
THEPPAKULAM POLICE STATION,
MADURAI CITY.
5. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
Crl.M.P.(MD)Nos.15059 and
14281 of 2022
in
Crl.A.(MD)No.794 of 2022
Date :02/12/2022

NS
USK/VR/SAR-I/02.12.2022/3P/7C