



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Tuesday, the Thirteenth day of December Two Thousand and Twenty Two

PRESENT

**The Hon`ble Mr.Justice G.ILANGOVAN**

CRL MP(MD) No.15482 of 2022  
in  
CRL.R.C.(MD) No.1233 of 2022

SURESH

... PETITIONER/PETITIONER

Vs

THE STATE REP. BY,  
THE INSPECTOR OF POLICE,  
ORATHANADU POLICE STATION,  
THANJAVUR DISTRICT.  
(CRIME NO.74 OF 2022).

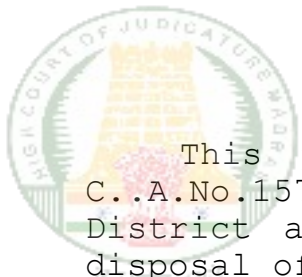
... RESPONDENT/RESPONDENT

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 IIIrd Additional District and Sessions Judge, Thanjavur at Pattukottai in CA.No.157 of 2019 by the Judgment dated 22.09.2022, confirming the Judgment of conviction by the District Munsif cum Judicial Magistrate, Orathanadu in C.C.No.75/2011 by dated 25.11.2019 and enlarge him on bail pending disposal of the Criminal Revision.

**PRAYER in CRL.R.C.(MD) No.1233 of 2022 :**

Pleased to call for the records of the Learned IIIrd Additional District and Sessions Judge, Thanjavur @ Pattukkottai in C.A.No.157 of 2019 by Judgment dated 22.09.2022 confirming the conviction and sentence of imposed by the Learned District Munsif cum Judicial Magistrate, Orathanadu in C.C.No.75/2011 by the Judgment dated 25.11.2019 and set aside the Judgments of the Courts below and acquit the petitioner.

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. KARUNANITHI.M, Advocate for the petitioner and of MR.M.SAKTHI KUMAR, Government Advocate (Crl.Side) on behalf of the Respondent, while admitting the Crl.R.C., the court made the following order:-



This petition is filed to suspend the sentence passed in C..A.No.157 of 2019 dated 22.09.2022, by the learned III Additional District and Sessions Judge, Thanjavur at Pattukkottai, pending disposal of the Criminal Revision.

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2.Challenging the conviction and sentence, the petitioner has preferred the present Criminal Revision Case along with the instant miscellaneous petition seeking suspension of sentence.

3. The learned counsel appearing for the petitioner submitted that the revision case is preferred on the ground that the appellate Court observed that the Revision Petitioner has not disproved the case of the prosecution by entering into the box. According to the revision petitioner, it is against the basic Criminal jurisprudence.

4.In view of the above said submissions made by the revision petitioner, the sentence imposed on the petitioner is suspended, pending disposal of the Criminal Revision Case, with the following conditions:-

- 1.The petitioner shall(\*)execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the III Additional District and Sessions Court, Thanjavur at Pattukkottai.
- 2.The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and
- 3.The petitioner shall appear before the trial Court daily at 10.30 a.m until further orders.

sd/-  
13/12/2022

**(\*)Deleted as per order of this Hon'ble Court in CRL MP(MD).15482/2022 in CRL OP(MD).1233/2022 dated 04/01/2023.**

/ TRUE COPY /

/01/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



TO

**TO BE SUBSTITUTED WITH THE ORDER DATED 13/12/2022, ALREADY DESPATCHED**

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1. THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE,  
THANJAVUR AT PATTUKKOTTAI.
2. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
ORATHANADU.
3. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.
4. THE INSPECTOR OF POLICE  
ORATHANADU POLICE STATION,  
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 C.C. TO M/S.M.KARUNANITHI, ADVOCATE, S.R.NO.14804 (I), DATED :  
14.12.2022.

ORDER IN

CRL MP(MD) No.15482 of 2022  
in

CRL.R.C.(MD) No.1233 of 2022  
Date :13/12/2022

indu

USK/VR/SAR- /13.12.2022/3P/7C

MK/SSS/SAR-III/12.01.2023/3P/7C