



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

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

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.15871 of 2022

IN

CRL RC(MD) No.1263 of 2022

DAVID ANANTHARAJ

... PETITIONER/PETITIONER

Vs

SARAVANAKUMAR

... RESPONDENT/RESPONDENT

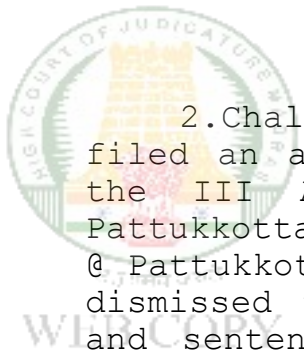
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the execution of sentence in Criminal Appeal No.131/2019 on the file of the Learned III Additional District and Sessions Judge, Thanjavur @ Pattukottai dated 04.11.2022 confirming the Judgement in STC.No.41/2019 on the file of the Learned Fast Track Court (Magisterial Level), Pattukkottai dated 04.09.2019, pending disposal of the Criminal Revision Petition.

PRAYER IN CRL RC(MD) No.1263 of 2022 :

Pleased to admit this Revision on file, to call for the records from the Lower Courts and set aside the Judgment of the Appellate Court passed by the Learned III Additional District and Sessions Court, Thanjavur @ Pattukkottai in Criminal Appeal No.131 of 2019 dated 04.11.2022 confirming the Judgment in S.T.C.No.41 of 2019 dated 04.09.2019 on the file of the Learned Fast Track Court (Magisterial Level), Pattukkottai by allowing this Revision.

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.MAYA PERUMAL.S, Advocate for the petitioner and of on behalf of the Respondents the court made the following order:-

This petition is filed to suspend the sentence passed in Crl.A.No.131 of 2019, dated 04.11.2022, by the learned III Additional District and Sessions Judge, Thanjavur @ Pattukkottai, confirming the judgment in S.T.C.No.41 of 2019 on the file of the learned Fast Track Court (Magistrate Level), Pattukkottai dated 04.09.2019, pending disposal of the Criminal Revision.



2. Challenging the conviction and sentence, the petitioner as filed an appeal in CrI.A.No.131 of 2019, dated 04.11.2022, before the III Additional District and Sessions Judge, Thanjavur @ Pattukkottai. The Additional District and Sessions Judge, Thanjavur @ Pattukkottai, confirmed the above said conviction and sentence and dismissed the appeal. Being dissatisfied with the said 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 though there are no nexus transactions between the defacto complainant and the accused, the Court below did not taken care of the above said issue. Now, the petitioner is ready to deposit 20% of compensation amount.

4. In view of the above undertaking given 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 deposit 20% cheque amount and 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 Judicial Magistrate (Fast Tack), 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/-
20/12/2022

/ TRUE COPY /

21/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE,
THANJAVUR AT PATTUKKOTTAI.
2. THE JUDICIAL MAGISTRATE
(FAST TRACK), PATTUKKOTTAI.

<https://www.mhc.tn.gov.in/judis>



3. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

WEB COPY

+1 CC to M/s.MAYA PERUMAL.S, Advocate (SR-15276[I] dated
22/12/2022)

ORDER

IN

CRL MP (MD) No.15871 of 2022

IN

CRL RC (MD) No.1263 of 2022

Date :20/12/2022

indu

USK/VR/SAR-IV/21.12.2022/3P/5C