



**Crl. M.P. No.1137 of 2021
in Crl. A. No.860 of 2019**

**Crl. M.P. No.1137 of 2021
in Crl. A. No.860 of 2019**

**S.S.SUNDAR, J.
and
SUNDER MOHAN, J.**

(Order of the Court was made by S.S.SUNDAR, J.)

Seeking to suspend the sentence imposed by the learned Sessions Judge, Mahila Court, Cuddalore vide judgment dated 10.10.2019 in S.C. No.279 of 2018, the petitioner/accused has filed this petition.

2. The case of the prosecution is that on 02.04.2018 at about 11.00 a.m., when the deceased was leaving from her mother's house, the accused, who is the husband of the deceased came with petrol bottle, poured on her and set her ablaze; that the accused was suspecting the fidelity of his wife and therefore committed the said act, either to kill her or disfigure her face; that the deceased gave dying declaration to II Metropolitan Magistrate, Egmore, Chennai; that the mother of the deceased has spoken as eye witness.

3. Though the learned counsel for the petitioner made an attempt to convince this Court that there is a material discrepancy



WEB COPY



**Crl. M.P. No.1137 of 2021
in Crl. A. No.860 of 2019**

**S.S.SUNDAR, J.
and
SUNDER MOHAN, J.**

mmi

in the evidence regarding the inflammable substance, this Court is of the view that much weightage cannot be given to such discrepancy. This Court is unable to find prima facie case to hold that the petitioner has a fair chance of success in the appeal. Therefore, this criminal miscellaneous petition is dismissed.

4. List the main Criminal Appeal for final hearing on 04.12.2023.

**(S.S.S.R.,J.) (S.M.,J.)
15.11.2023**

mmi

**Crl. M.P. No.1137 of 2021
in Crl. A. No.860 of 2019**