



Crl.M.P.No.7373 of 2023 in Crl.A.No.567 of 2023

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S.S.SUNDAR, J.

and

SUNDER MOHAN, J.

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

The petitioner/A1, who stands convicted for the offence under Section 302 of IPC and sentenced to undergo life imprisonment and to pay a fine of Rs.2000/-, in default to undergo 3 months rigorous imprisonment in S.C.No.177 of 2022 vide the judgment dated 24.04.2023 passed by the learned Principal Sessions Judge, Tiruppur, has filed the above appeal challenging the said conviction and sentence. Pending the same, the petitioner has filed the present petition seeking to suspend the sentence and enlarge him on bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3. From the nature of injuries and other circumstances, the learned counsel appearing for the petitioner pointed out that the intention of the petitioner/accused was not to commit the murder and that therefore the



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petitioner can be released on bail. It is his further submission that there were no previous enmity or strong motive and that the occurrence was due to some sudden emotional outburst followed by physical scuffle.

4. This Court, having regard to the fact that the petitioner/accused is in jail for less than a year and that the main appeal itself can be taken up within a short time, is not inclined to suspend the sentence imposed on the petitioner. Therefore, the criminal miscellaneous petition stands dismissed.

5. Registry is directed to post the main appeal during the second week of January, 2024.

(S.S.S.R.,J.) (S.M.,J.)
21.11.2023

SS



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