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Crl.MP.No.18450 of 2023
in Crl.A.No.474 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.MP.No.18450 of 2023

in

Crl.A.No.474 of 2021

Pakkiri @ Pakkirisami

...Petitioner/A1

Vs.

The State of Tamil Nadu,
Represented by
The Inspector of Police,
Thirunavallur Police Station,
Kallakuruchi District.
Crime No.52/2011

...Respondent

Prayer:- Criminal Miscellaneous Petition filed under Section 389 (1) of Cr.P.C., 1973, to suspend the sentence imposed by the Judgment dated 13.09.2021 made in Sessions Case No. 142 of 2013, passed by the learned Additional Sessions and District Judge (Fast Track Court), Villupuram and enlarge the petitioner on bail pending disposal of the above Crl.A.No.474 of 2021.



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For Petitioner : Mr.Sarath Chandran
for M/s.B.Mohan

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(Order of the Court was delivered by **SUNDER MOHAN, J.**)

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner/A1, by the learned Additional Sessions and District Judge (Fast Track Court), Villupuram, in S.C.No.142 of 2013, by the judgment dated 13.09.2021, and enlarge him on bail pending disposal of the above Criminal Appeal.

2.The learned Additional Sessions and District Judge (Fast Track Court), Villupuram, in S.C.No.142 of 2013, convicted and sentenced the petitioner/A1 to undergo imprisonment for life and also to pay a fine of Rs.1,000/- in default to undergo one year rigorous imprisonment for the offence under Section 302 of IPC.



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3.Challenging the above conviction and sentence, the petitioner/A1, has filed the above Criminal Appeal and he seeks suspension of sentence and bail in the present miscellaneous petition.

4.Heard Mr.Sarath Chandran, learned Counsel appearing for the petitioner and Mr.A.Gokulakrishnan, learned Additional Public Prosecutor, appearing for the respondent/State.

5. We had already dismissed the petition filed by the petitioner for seeking Suspension of Sentence by an order dated 09.10.2023. However, this petition has been filed stating that the marriage of the petitioner's daughter is scheduled on 24.11.2023 at about 5.30 P.M. Therefore, this Court is of the view that the request of the petitioner for interim bail can be considered for the said reason.

6. Hence, the Sentence imposed on the petitioner shall be suspended for an interim period of seven days commencing from tomorrow (i.e.,) 24.11.2023.



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7. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence of imprisonment imposed on the petitioner/A1 is suspended for the period from 24.11.2023 to 30.11.2023 on the following conditions:

(i) The petitioner shall execute a bond for a sum of Rs.10,000/-, with two sureties, each for a like sum to the satisfaction of the learned Additional Sessions and District Judge, Fast Track Court, Villupuram;

(ii) The petitioner and 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 and mobile numbers to ensure their identity;

(iii) The petitioner shall surrender before the Trial Court at 10.30 A.M on 01.12.2023

8. Post this matter for “Reporting Compliance” on 04.12.2023.

(S.S.S.R., J.) (S.M., J.)
23.11.2023

Internet : Yes

Index : Yes / No

Note to office:

Issue order copy by 23.11.2023

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To

- 1.The Additional Sessions and District Judge,
Fast Track Court,
Villupuram.
- 2.The Inspector of Police,
Thirunavallur Police Station,
Kallakuruchi District.
- 3.The Judicial Magistrate No.2,
Ulundarpet, Kallakuruchi District
4. The Superintendent,
Central Prison,
Cuddalore.
- 5.The Public Prosecutor,
High Court, Madras.



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and
SUNDER MOHAN, J.

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