



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

Wednesday, the Fourteenth day of June Two Thousand and Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR
and
The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CRL MP(MD) No.13939 of 2022
in
CRL A(MD)No. 736 of 2022

SAKTHIVEL

... APPELLANT/ACCUSED NO.1

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE
BAZZAR POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.342 OF 2013.

... RESPONDENT/COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to grant Suspension of Sentence imposed in the conviction and judgment in SC.No.143 of 2019 on the file of the Additional District and Sessions Court, Ramanathapuram District dt.7.9.2022 and enlarge the Appellant Accused No.1 on Bail pending disposal of the above Criminal Appeal.

PRAYER IN CRL A(MD)No. 736 of 2022:

Pleased to set aside the Judgment of Additional Sessions and District Court of Ramanathapuram District dated 07.09.2022 made in S.C.NO. 143 of 2019 in so far as against the Appellant/Accused No.1 herein and allow the above Appeal.

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.ANTO PRINCE G, Advocate for the petitioner and of MR.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by **R. SURESH KUMAR, J.**)

Mr.E.Antony Sahaya Prabahar, the learned Additional Public Prosecutor appearing for the respondent has produced the Doctor's report dated 13.06.2023 which reads thus:



"Respected Sir,
Sub:Department of General Surgery-Medical report of
Mr.Sakthivel S/o.Kalidoss (Life Convict Prisoner)-
submitted-regarding.

Ref:E.Antonysahayaprabahar, Additional Public
Prosecutor.

.....
As per the reference cited above I am submitting the
Medical report of Mr.Sakthivel.

1.Mr.Sakthivel S/o.Kalidoss (Life Convict Prisoner),
admitted on 06.06.2023.

2. Patient came with complaint of abdominal pain.
Patient was diagnosed as acute Pancreatitis, Medical
Gastroenterologist and Surgical Gastroenterologist opinion
obtained. Patient was treated conservatively.

3. *At present patient's vitals are stable. Patient is
fit for discharge. Patient is planned for discharge today
(14.06.2023)."*

2. Relying upon the said report, the learned Additional Public
Prosecutor appearing for the respondent submits that since the
detenu has already been treated from 06.06.2023 and after full
treatment which has been given conservatively, all his vitals are
stable, he is fit for discharge and the Doctors plan to discharge
him on 14.06.2023, i.e., today.

3. Therefore, on the ground of medical emergency, the interim
suspension sought for on behalf of the detenu cannot be considered
and accordingly, it is to be rejected. Hence, this Criminal
Miscellaneous Petition is rejected.

4.Post the main appeal in the usual course.

sd/-

14/06/2023

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/06/2023

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

SSB

TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
RAMANATHAPURAM.



2 THE INSPECTOR OF POLICE
BAZZAR POLICE STATION,
RAMANATHAPURAM DISTRICT.

3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL MP(MD) No.13939 of 2022
in

CRL A(MD)No. 736 of 2022

Date :14/06/2023

PKP/VR/SAR- /22.06.2023/ **3P/5C**