



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Fifth day of January Two Thousand and Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.151 of 2023

in

CRL.R.C.(MD) No.13 of 2023

P.MURUGESAN

... PETITIONER/PETITIONER

Vs

KATTI

... RESPONDENT/RESPONDENT

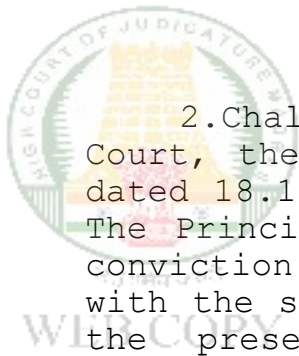
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Suspend the Sentence of Imprisonment imposed by the Learned Judicial Magistrate, Fast Track Court, (Magisterial Level) Thoothukudi in CA.No.95/2018 by the Judgement dt.18/11/2022, confirming the Judgement of Conviction by the Learned Judicial Magistrate, Fast Track Court (Magisterial Level), Thoothukudi in C.C.No.306 of 2016 by dated 16.11.2018 and enlarge him on bail pending disposal of the Criminal Revision.

PRAYER IN CRL RC(MD) No.3 of 2023 :

Pleased to call for the records of the Learned Principal District Judge, Thoothukudi in C.A.No.95 of 2018 by Judgment dated 18.11.2022 confirming the conviction and sentence of imposed by the Learned Judicial Magistrate, Fast Track Court (Magisterial Level), Thoothukudi in C.C.No.306 of 2016 by the Judgment dated 16.11.2018 and set aside the Judgments of the Courts below and acquit the petitioner.

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.MANO KUMAR M, Advocate for the petitioner, the court made the following order:-

This petition is filed to suspend the sentence passed in C.A.No.95 of 2018, dated 18.11.2022, by the learned Principal Sessions Judge, Thoothukudi, confirming the judgment of conviction by the learned Judicial Magistrate, Fast Track Court, (Magisterial Level), Thoothukudi in C.C.No.306 of 2016 dated 16.11.2018.



2.Challenging the conviction and sentence passed by the trial Court, the petitioner has filed an appeal in Crl.A.No.95 of 2018, dated 18.11.2022, before the Principal Sessions Judge, Thoothukudi. The Principal Sessions Judge, Thoothukudi 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 the petitioner is ready to settle the entire 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 25% cheque amount before the concerned Court within a week from the date of release from the prison.
- 2.The petitioner shall 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 Track Court), Thoothukudi.
- 3.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
- 4.The petitioner shall appear before the trial Court daily at 10.30 a.m until further orders.

sd/-
05/01/2023

/ TRUE COPY /

06/01/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

1. THE PRINCIPAL SESSIONS JUDGE,
THOOTHUKUDI.



2. THE JUDICIAL MAGISTRATE,
FAST TRACK COURT (MAGISTERIAL LEVEL),
THOOTHUKUDI.

3. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

4. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

ORDER

IN

CRL MP (MD) No.151 of 2023

in

CRL.R.C. (MD) No.13 of 2023

Date :05/01/2023

USK/SSS/SAR- /06.01.2023/3P/5C