



Crl.M.P.No.3106 of 2024

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in Crl.A.No.204 of 2024

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S.M.SUBRAMANIAM, J.
AND
V.SIVAGNANAM, J.

The present petition was instituted for suspension of sentence pending appeal under Section 389(1) of the Code of Criminal Procedure.

2. The contention of the petitioner is that there is no eye witness or evidence to establish commission of offence and thus the petition for suspension of sentence is to be considered.

3. The learned Additional Public Prosecutor would oppose by stating that the last seen theory was deposed by PW2 and PW12 and PW13 also deposed and identified the accused person.

4. The electronic evidence i.e., CCTV was played in the Court in the presence of the accused, PW1 and PW13 and the Court has made the observation in Paragraph No.32, which would reveal about the facts and evidences placed by the prosecution for establishing the offence. Thus, we are not inclined to consider the present petition for suspension of sentence.



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Consequently, the petition stands **dismissed**.

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(S.M.S., J.) (V.S.G., J.)
04.09.2024

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