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Crl.MP.No.6842/2024 in Crl.A.No.141/2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Crl.MP.No.6842/2024 in Crl.A.No.141/2024

R.Manikandan .. Petitioner/Appellant

Versus

State Represented by
Panruti Police Station,
Panruti,
Cuddalore District.

.. Respondent

Prayer:-Civil Miscellaneous Petition filed under Section 389[1] of Cr.P.C., to suspend the execution of the sentence dated 27.02.2019 passed in S.C.No.189/2018 on the file of Mahila Court, Cuddalore against the petitioner/appellant and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

For Petitioner : Mrs.S.Thamizharasi
For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor



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ORDER

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[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The petitioner seeks suspension of sentence against conviction and sentence passed by the Mahila Court, Cuddalore in SC.No.189 of 2018 dated 27.02.2019, pending disposal of the criminal appeal.

2. The petitioner was found guilty of the charges under Sections 498-A and 302 of IPC and he was convicted and sentenced as follows:

Offence under Section	Sentence imposed
498-A of IPC	To undergo rigorous imprisonment for a term of three years with a fine of Rs.5,000/- (Rupees Five Thousand Only) in default of payment of fine to undergo Simple Imprisonment for a period of six months.
302 of IPC	To undergo rigorous imprisonment for life and to pay a fine of Rs.10,000/- (Rupees Ten Thousand Only) in default of payment of fine to undergo Simple Imprisonment for a period of two years.
The imprisonment shall run concurrently	



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3. Ex.P.7-Dying Declaration of the deceased wife of the petitioner reveals that the petitioner burnt his wife by pouring kerosene on her body.

4. *Prima facie*, the petitioner has not established any ground for the purpose of considering this Miscellaneous Petition for suspension of sentence. The other grounds raised are to be argued in the pending criminal appeal. Consequently, this Miscellaneous Petition stands **dismissed**.

[S.M.S., J.] [V.S.G., J.]

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Internet: Yes



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To

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1. Panruti Police Station,
Panruti,
Cuddalore District.
2. The Judicial Magistrate No.1,
Panruti.
3. The Central Prison,
Cuddalore.
2. The Additional Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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S.M.SUBRAMANIAM, J.

and

V.SIVAGNANAM, J.

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