



Crl.MP.No.6836/2024 in Crl.A.No.1287/2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Crl.MP.No.6836/2024 in Crl.A.No.1287/2022

Nagarajan

.. Appellant/Accused No.1

Versus

State represented by
The Inspector of Police,
Poraiyar Police Station,
Mayiladuthurai District.
(Crime No.102 of 2019)

.. Respondent

Prayer:-Civil Miscellaneous Petition filed under Section 389[1] of Cr.P.C., to suspend the sentence made in Sessions Case No.136 of 2019 on the file of the Additional District and Sessions Judge, Mayiladuthurai dated 28.09.2022 and grant bail to the petitioner/accused No.1 pending disposal of the criminal appeal.

For Petitioner : Mr.D.Veerasekharan

For Respondent : Mr.S.Raja Kumar



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Additional Public Prosecutor

ORDER

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

This criminal miscellaneous petition has been filed seeking to suspend the sentence imposed on the petitioner vide judgement and order dated 28.09.2022 in SC.No.136/2019 on the file of the Additional District and Sessions Judge, Mayiladuthurai and to enlarge the petitioner on bail pending disposal of the appeal.

2. The petitioner/A1 found guilty under Sections 294 (b) and 302 of IPC and convicted and sentenced as follows:

Offence under Section	Sentence imposed
Under Section 294(b) of IPC	Convicted and imposed a fine of Rs.1,000/- in default of payment of fine one month rigorous imprisonment.
302 of IPC	Convicted and sentenced to life imprisonment along with fine of Rs.10,000/-. In default of payment of fine six more month rigorous imprisonment under Section 235(2) of Cr.P.C.
The imprisonment shall run concurrently	



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3. The evidence of P.W.1 and P.W.2 corroborates and the nature of injury inflicted on the deceased by the petitioner/A1 had been narrated cogently. The said evidence of the eyewitnesses corroborate with the evidence of P.W.11/Doctor. The post-mortem report/Ex.P.6 also reveals the same fact.

4. When the evidences, post-mortem report and the Doctor's evidence corroborates and consistent, we do not find any reason to grant suspension of sentence. Consequently, this Miscellaneous Petition stands **dismissed.**

[S.M.S., J.] [V.S.G., J.]
08.08.2024

veda

Internet: Yes



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To

WEB COPY

- 1.The Additional District and Sessions Court, Mayiladuthurai.
2. The Inspector of Police,
Poraiyar Police Station,
Mayiladuthurai District.
- 3.The Central Prison,
Trichy.
- 4.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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