

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 24.06.2024

CORAM

THE HON'BLE **MR.JUSTICE M.DHANDAPANI****CrI.MP.No.8964 of 2024**
and CrI.A No.788 of 2024

Thangavel

... petitioner

-Vs-

1. The Inspector of Police,
Eriyur Police Station,
Dharmapuri District.
Cr. No.208 of 2017

Respondent

Prayer: Criminal miscellaneous petition has filed under Sections 389 (i) of the Criminal Procedure Code, to suspend the sentence passed by the learned Sessions Judge- Fast Track Mahila Court, Dharmapuri in SC.No.16/2020 dated 21.05.2024 and release the petitioner on bail pending disposal of the above said CrI. Appeal.

For petitioner : Mr.M.Selvam

For Respondent : Mrs.G.V.Kasthuri

Additional Public Prosecutor

ORDER

The Criminal Appeal has been filed as against the Judgment passed by the learned Sessions Judge- Fast Track Mahila Court, Dharmapuri in SC.No.16/2020 dated 21.05.2024, convicted the petitioner for an offence Under 307 of IPC and sentenced him to undergo five years RI and to pay a fine of Rs.5000/-, in default, to undergo three months SI and also convicted the petitioner for the offence under Section 324 of IPC and sentenced to undergo two years RI and to pay fine of Rs.5,000/-, in



default, to undergo three months SI. Challenging the said judgement, the petitioner has filed the above appeal and miscellaneous petition seeking suspension of sentence of imprisonment.

2. The learned counsel for the petitioner submitted that the petitioner is an innocent. The petitioner is in prison for more than one years and he is ready to abide any condition imposed by this Court. Therefore, the learned counsel prays to suspend the sentence imposed on the petitioner.

3. The learned Government Advocate submitted that the Court below has appreciated the entire evidence and has given elaborate reasons for convicting and sentencing the petitioner.

4. This Court carefully considered the submissions made on either side.

5. Considering the facts and circumstances of the case and in view of the fact that there are arguable points which require a consideration in the appeal, this Court is inclined to suspend the sentence imposed by the Court below.



6. The sentence imposed by the Court below vide Judgment made in SC.No.16 of 2020 dated 21.05.2024 on the file of learned Sessions Judge, Fast Track Mahila Court, Dharmapuri is hereby suspended, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri and to appear before the Sessions Judge, Fast Track Mahila Court, Dharmapuri on the first working day of every week at 10.30 a.m., until further orders.

24.06.2024

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Note: Issue order copy on 25.06.2024

To

1. The learned Sessions Judge,
Fast Track Mahila Court, Dharmapuri

2. The Inspector of Police,
Eraiur Police Station,
Dharmapuri.

M.DHANDAPANI,J



3. The Public Prosecutor,
High Court, Madras.

5. The Superintendent
Central Prison, Salem.

Crl.MP.No.8964 of 2024
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