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CRL.M.P.No.18474 of 2023
in
CRL.R.C.No.1995 of 2023

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M.DHANDAPANI, J.

The Criminal Miscellaneous Petition has been filed to suspend the conviction and sentence imposed on the petitioner vide judgment dated 24.09.2021 passed in C.A.No.43 of 2018 by the learned Principal Sessions Judge, Puducherry, confirming the judgment dated 03.08.2017 passed in S.C.No.101 of 2012 by the learned Principal Assistant Sessions Judge, Puducherry, pending disposal of the criminal revision case and enlarge the petitioner on bail.

2. The petitioner was convicted for the offence under Sections 307 and 341 IPC and was sentenced to undergo rigorous imprisonment for a period of five years and pay a fine of Rs.500/-, in default, to undergo simple imprisonment for a period of three months under Section 307 IPC and was sentenced to pay a fine of Rs.500/-, in default, to



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undergo simple imprisonment for a period of three months under Section 341 IPC. Aggrieved by the same, the revision petition has been filed along with the present petition to suspend the sentence.

3. The learned counsel for the revision petitioner would submit that there are lot of material contradictions in the evidence of the prosecution and the prosecution evidence is also highly unbelievable. It is further submitted that apprehending arrest, the present petition for suspension of sentence is filed.

4. The learned Additional Public Prosecutor appearing for the respondent Police submits that the petitioner is having two previous cases which are similar in nature and there is a chance of tampering the evidence.

5. Considering the facts and circumstances of the case, the



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previous antecedents of the petitioner and the fact that there is a chance of tampering the evidence, this Court is not inclined to suspend the sentence imposed against the petitioner. Accordingly, the Criminal Miscellaneous Petition is dismissed.

16.07.2024
(2/2)

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