



Crl.M.P.No.12877 of 2024
in
Crl.R.C.No.1546 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2024

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.M.P.No.12877 of 2024
in Crl.R.C.No.1546 of 2024

Mr.Ravichandaran

... Petitioner/Accused 1

Vs.

State Rep. by
The Forest Range Officer,
Tirupattur
(STOR No.1/2016)

...Respondent/Complainant

PRAYER: Criminal Miscellaneous Petition filed under Section 397 (1) of Cr.P.C., to suspend the sentence imposed on the revision petitioner/accused in C.C.No.04 of 2017 dated 25.10.2021 on the file of the learned Special Judicial Magistrate (Sandalwood Cases), Tirupattur and confirmed in C.A.No.74 of 2021 dated 30.07.2024 by the learned District and Sessions Court, Tirupattur and enlarge the petitioner on bail.

For Petitioner : Mr.Periaswamy I

For Respondent : Ms.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER



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WEB COPY This Criminal Miscellaneous Petition has been filed by the petitioner, seeking to suspend the sentence imposed on the revision petitioner/accused in C.C.No.04 of 2017 dated 25.10.2021 on the file of the learned Special Judicial Magistrate (Sandalwood Cases), Tirupattur and confirmed in C.A.No.74 of 2021 dated 30.07.2024 by the learned District and Sessions Court, Tirupattur and enlarge the petitioner on bail, pending disposal of the above revision.

2. The case of the prosecution is that on 22.10.2016 when P.W.3, a forest guard was sleeping in his quarters, he woke up on hearing the noise of cutting of trees at 2.30 p.m., and when he tried to come out of quarters, the door was locked, and hence he informed P.W.2 who in turn informed P.W.1; and that when P.W.1 and P.W.2 came to the spot, they saw some persons jumping on the compound wall and they apprehended A1 and found knives and other weapons; and that they found seven sandalwood pieces at the place of the occurrence.



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3. The learned counsel for the petitioner/appellant would submit that the though five persons were tried, only the petitioner was convicted; that the evidence adduced on the side of the prosecution does not inspire confidence and the witnesses ought not to have been believed by the Courts below; that there are several arguable points in the revision; and that the petitioner had surrendered on 19.11.2024 and prayed for granting suspension of sentence to the petitioner.

4. The learned Government Advocate (Crl.Side) for the respondent would submit that the Courts below have correctly appreciated the evidence and convicted the petitioner and there is no reason to interfere in the Judgements of the Courts below and opposed for granting bail.

5. Heard both sides and perused the records.

6. Considering the fact that the petitioner has raised substantial grounds, which requires consideration in the above Revision Petition; and that the petitioner had surrendered on 19.11.2024, this Court is inclined to grant the relief of suspension of the sentence imposed on the petitioner on the



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WEB COPY following conditions till the disposal of the above Criminal Revision:

(a) The petitioner is ordered to be enlarged on bail, on condition that he 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 Special Judicial Magistrate (Sandalwood Cases), Tirupattur;

(b) The petitioner shall appear before the Trial Court on the first working day of a month at 10.30 a.m., until the disposal of the revision and if he is not able to appear before the Trial Court on that day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of his absence as directed by the Trial Court.

(c) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and

(d) In the event of failure on satisfying the above conditions, this order would stand automatically cancelled.



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7. Accordingly, this Criminal Miscellaneous Petition is ordered.

20.11.2024
(2/3)

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Note: Issue order copy on 25.11.2024

To

- 1.The Special Judicial Magistrate (Sandalwood Cases),
Tirupattur.
- 2.The District and Sessions Court, Tirupattur
- 3.The Superintendent of Prison,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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