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CRL.M.P.Nos.18461 and 18462 of 2023
in
CRL.R.C.No.1994 of 2023

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M.DHANDAPANI, J.

Crl.M.P.No.18461 of 2023 has been filed to suspend the conviction and sentence imposed on the petitioners vide judgment dated 27.09.2023 passed in C.A.No.20 of 2022 by the learned I Additional District and Sessions Judge, Namakkal, confirming the judgment dated 23.02.2022, passed in C.C.No.66 of 2021 by the learned Judicial Magistrate No.1, Namakkal, pending disposal of the criminal revision case and enlarge the petitioners on bail.

2. Crl.M.P.No.18462 of 2023 has been filed to exempt the petitioners from surrendering before the Appellate Court in connection with the conviction made in C.A.No.20 of 2022 vide judgment dated 27.09.2023 by the learned I Additional District and Sessions Judge, Namakkal, confirming the judgment dated 23.02.2022 passed in C.C.No.66 of 2021 by the learned Judicial Magistrate No.1, Namakkal, pending disposal of the criminal revision case.



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3. The first petitioner was convicted for the offence under Sections 454 and 380 IPC and was sentenced to undergo rigorous imprisonment for a period of three years and pay a fine of Rs.1,000/-, in default, to undergo simple imprisonment for a period of three months for each of the offences and the second petitioner was convicted under Section 380 IPC and was sentenced to undergo rigorous imprisonment for a period of three years and pay a fine of Rs.1,000/-, in default, to undergo simple imprisonment for a period of three months. Aggrieved by the same, the revision petition has been filed along with the present petitions to suspend the sentence and exempt the petitioners from surrendering before the Courts below.

4. The learned counsel for the revision petitioners 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



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sentence is filed.

5. The learned Additional Public Prosecutor appearing for the respondent Police submits that the petitioners are having 13 previous cases which are similar in nature and there is a chance of tampering the evidence.

6. Considering the facts and circumstances of the case, the 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 petitioners and exempt them from surrendering before the Courts below. Accordingly, the Criminal Miscellaneous Petitions are dismissed.

16.07.2024
(2/2)

ssb

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