



WEB COPY



CRL MP Nos.17649 & 18211 of 2024 in
CRL A Nos.1549 & 1620 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-12-2024

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL MP Nos.17649 & 18211 of 2024

in CRL A Nos.1549 & 1620 of 2024

AMUDHA

W/o. Arumugam,

No. 9, 1st Street, Thambusamy Nagar,

Tiruverkadu, Ayyapakkam,

Ambattur, Thiruvallur District.

Petitioner in Crl.MP No.17649/2024

ARUMUGAM

S/o Radhakrishnan,

No.51, Ram Nagar, Sundarasolavaram,

Rmk School Thiruverkadu, VTC Ayyapakkam,

Ambattur, Thiruvallur District.

Petitioner in Crl.MP No.18211/2024

Vs

The State Rep Its By,

Inspector Of Police

Sembanarkoil Police Station,

Sembanarkoil, Nagapattinam District

... Respondent in both Crl.MPs.

In both Crl.MPs

For Petitioners : Mr.R.Nandakumar

For Respondent : Dr.C.E.Pratap,

Govt. Advocate (Crl.Side)

COMMON ORDER

These Criminal Miscellaneous Petitions have been filed to suspend the sentence of imprisonment imposed on the petitioners in S.C.No.74 of 2018 dated 14.10.2024 by the learned District and Sessions Judge, Mayiladuthurai



CRL MP Nos.17649 & 18211 of 2024 in
CRL A Nos.1549 & 1620 of 2024

WEB COPY
Appeals.

and release the petitioners on bail, pending disposal of the above Criminal

2. The case of the prosecution is that on account of prior enmity, the petitioners viz. husband and wife trespassed into the house of the defacto complainant/PW1 and abused her in filthy language and damaged the compound wall and caused loss to the tune of Rs.20,000/-; and also poured kerosene on the defacto complainant.

3. The petitioners/A.1 & A.2 in S.C.No.74 of 2018 was convicted by the Trial Court and sentenced as follows -

(i) A.1 – sentenced to undergo Rigorous Imprisonment for 3 years for the offence u/s 324 of IPC and imposed fine of Rs.5000/- in default of payment of fine amount one month R.I.

(ii) A.1 & A.2 – sentence to undergo Rigorous Imprisonment for 5 years each for the offence u/s 506(ii) IPC.

(iii) A.1 & A.2 – sentence to undergo Rigorous Imprisonment for 5 years for the offence u/s 3(1) of TNPPDL Act and imposed fine of Rs.1000/- in default 1 month Rigorous Imprisonment.



CRL MP Nos.17649 & 18211 of 2024 in
CRL A Nos.1549 & 1620 of 2024

Aggrieved by the same, the petitioners/Accused filed Crl.A.Nos.1549 & 1620 of 2024 along with the instant miscellaneous petitions seeking suspension of sentence and bail.

4. The learned counsel for the petitioners would submit that the petitioners have raised substantial ground in the above appeals which requires consideration and that the petitioners are in custody from 14.10.2024 and prayed for suspension of sentence imposed on the petitioners.

5. Heard the learned counsel for the petitioner as well as learned Government Advocate (Crl.side) and perused the records.

6. Considering the fact that the petitioners have raised substantial grounds in the above appeals which requires consideration; that the petitioners are in custody from 14.10.2024 and that the appeals are not likely to be taken up in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioners.



CRL MP Nos.17649 & 18211 of 2024 in
CRL A Nos.1549 & 1620 of 2024

WEB COPY

7. Accordingly, both the **Criminal Miscellaneous Petitions** are **allowed** and the sentence imposed on the petitioners are suspended and the petitioners are ordered to be released on bail on the following conditions -

- (i) The petitioners shall execute a bond for a sum of Rs.10,000/- each, with two sureties, each for a like sum to the satisfaction of the learned District and Sessions Judge, Mayiladuthurai;
- (ii) The petitioners 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
- (iii) The petitioners shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal and if they are not able to appear before the trial Court on any day, they 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 their absence, as directed by the trial Court.

20.12.2024
(2/2)

rg

Issue order copy by 21.12.2024
Upload the order copy forthwith.



WEB COPY



CRL MP Nos.17649 & 18211 of 2024 in
CRL A Nos.1549 & 1620 of 2024

SUNDER MOHAN, J.

rgt

To

- 1.The Judicial Magistrate Court No.II,
Mayiladuthurai.
- 2.The Inspector Of Police
Sembanarkoil Police Station,
Sembanarkoil, Nagapattinam District
- 3.The Superintendent
Central Prison / Women Special Prison
Trichy.
- 4.The Public Prosecutor,
High Court, Madras.

**CRL MP Nos.17649 & 18211 of 2024
in CRL A Nos.1549 & 1620 of 2024**

20.12.2024
(2/2)