



CRL MP(MD) No.579 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Wednesday, the Twenty Eighth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice VIVEK KUMAR SINGH

CRL MP(MD) No.579 of 2024

IN

CRL A(MD)No. 59 of 2024

RAMACHANDRAN

...APPELLANT/ ACCUSED NO.1

Vs

**THE INSPECTOR OF POLICE
SOUTH GATE POLICE STATION,
MADURAI DISTRICT.
CRIME NO.781 OF 2017.**

... RESPONDENT/COMPLAINANT

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence and release the appellant on bail pending disposal of this Criminal Appeal before this Honble Court against the judgment in SC.No.379/2018 on the file of the IV Additional District and Sessions Judge, Madurai dated 31.10.2023.

PRAYER IN CRL A(MD)No. 59 of 2024:

To call for the entire records connected to the judgment in S.C.No. 379 of 2018 on the file of the Hon'ble IV Additional District and Sessions Judge, Madurai dated 31.10.2023 and set aside the conviction and sentence imposed against the appellant.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.R.ALAGUMANI, Advocate for the petitioner and of MR.R.SIVAKUMAR,



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Government Advocate (Criminal Side) on behalf of the Respondent, the court made the following order:-

The petitioner has filed this Criminal Miscellaneous Petition praying to suspend the sentence passed against him by the learned IV-Additional District and Sessions Judge, Madurai, in S.C.No.379 of 2018 dated 31.10.2023 and to enlarge him on bail, pending disposal of the Criminal Appeal.

2. It is submitted by the learned counsel for the petitioner that a case has been registered against the petitioner and other accused in Crime No.781 of 2017 on the file of the respondent/Inspector of Police, South Gate Police Station, Madurai District, for the offences punishable under Sections 111, 114, 324, 449, 302 r/w 34 IPC and the same was taken on file in S.C.No.379 of 2018 before the learned IV-Additional District and Sessions Judge, Madurai. The petitioner/A1 was convicted for the offence under Section 111 r/w 114 r/w 304(ii) r/w 34 of IPC alone and sentenced to undergo ten years rigorous imprisonment and a fine of Rs.1,000/-, in default, to undergo six months simple imprisonment. Challenging the above said conviction and sentence, the petitioner has preferred the present Criminal Appeal along with the above Miscellaneous Petition seeking suspension of sentence. Learned counsel for the petitioner further submitted that there are some arguable points involved in the



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criminal appeal and hence, he prays for suspension of sentence.

3. Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor has no serious objection to suspend the sentence as against the petitioner.

4. Heard the learned counsel on either side and perused the materials available on record.

5. As rightly contended by the learned counsel for the petitioner that there are some arguable points involved in the criminal appeal and also considering the facts and circumstances of the case, this Court is of the prima facie view that the sentence is to be suspended pending this Appeal.

6. Accordingly, this Criminal Miscellaneous Petition is allowed. The sentence imposed by the learned IV-Additional District and Sessions Judge, Madurai in S.C.No.379 of 2018 dated 28.12.2023 alone is suspended subject to the following conditions:-

- i) The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the



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learned IV-Additional District and Sessions Judge, Madurai.

ii) The petitioner shall appear and sign before the learned IV-Additional District and Sessions Judge, Madurai, on the first working day of every English calender month at 10.30 a.m., until further orders.

iii) In case, if the petitioner is unable to appear before the Court on the first working day of a month, he shall appear on the next working day.

iv) The petitioner shall furnish his residential address and mobile number to the Trial Court ie., learned IV-Additional District and Sessions Judge, Madurai.

7. Subject to the above conditions, this Criminal Miscellaneous Petition is allowed.

sd/-
28/02/2024

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04/03/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PJL
TO

1 THE IV ADDITIONAL DISTRICT AND
SESSIONS JUDGE,MADURAI.



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- 2 THE INSPECTOR OF POLICE
SOUTH GATE POLICE STATION,
MADURAI DISTRICT.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.R.ALAGUMANI, Advocate (SR-2496[I] dated 28/02/2024)

ORDER
IN
CRL MP(MD) No.579 of 2024
IN
CRL A(MD)No. 59 of 2024
Date :28/02/2024

PKP/SAR /04.03.2024/ 5P/ 6C

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