



CRL MP(MD) No.1850 of 2024

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

Thursday, the Fifteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

CRL MP(MD) No.1850 of 2024
in
CRL A(MD) No.317 of 2023

VIGNESH

... Petitioner / Appellant / Accused No.4

Vs

THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION,
MADURAI CITY.

(CRIME NO.954 OF 2018.)

... Respondent / 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 grant Interim Suspension of the sentence imposed on the Petitioner by the VI Additional District and Sessions Judge, Madurai by its judgment in SC.No.82 of 2019 dt.14.7.2022 and enlarge him on interim bail for a period of 3 days pending disposal of the criminal appeal.

Prayer in CRL A(MD). 317/ 2023 :

To call for the records of the impugned judgment made in S.C.No.82 of 2019 on the file of the Learned VI Additional District and Sessions Judge, Madurai District dated 14.07.2022 and set aside the same.



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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 M/S.JEGADEESH PANDIAN M, Advocate for the petitioner and of Mr.S.RAVI, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This civil miscellaneous petition is filed to grant interim suspension of the sentence imposed on the petitioner in S.C.No.82 of 2019, dated 14.07.2022, by the VI Additional District and Sessions Court, Madurai, and enlarge him on interim bail for a period of 3 days.

2. Heard Mr.M.Jegadeesh Pandian, learned counsel for the petitioner and Mr.S.Ravi, learned Additional Public Prosecutor for the respondent.

3. The petitioner Vignesh, who is a convicted prisoner is confined in Central Prison, Madurai. A criminal case has been registered against him in Crime No.954 of 2018 on the file of the Inspector of Police, Theppakulam Police Station, Madurai for the offences under Sections 147, 148, 294(b), 341, 302 and 506(ii) r/w 34 of I.P.C and charges were framed against him in S.C.No.82 of 2019 before the learned IV Additional District and Sessions Judge, Madurai and he was convicted on 14.07.2022. The convict prisoner was in prison from the date of remand ie., 14.07.2022 till date. The petitioner's mother Samayal had arranged marriage to her



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daughter namely Mahalakshmi before the elders of the family on 19.02.2024 at Thandiswarar Ayyankovil Temple followed by a reception function at Community Hall at Koodathupatti Village. Seeking to grant interim suspension imposed on the petitioner, this Criminal Original Petition has been filed.

4. The learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the petitioner is a convict prisoner and his sister's marriage is on 19.02.2024 and he has no serious objection for releasing the petitioner to attend the marriage on 19.02.2024 between 7.00 a.m. and 8.00 p.m. with police escort.

5. Considering the bona fide reason ie., to attend the marriage function of the convict prisoner's sister, we are of the view that the convict prisoner's presence is required at the time of his sister's marriage function. Therefore, we are inclined to issue the following directions:

'(i) The Superintendent, Central Prison, Madurai, is directed to release the petitioner to attend the marriage of his sister on 19.02.2024 between 7.00 a.m. to 8.00 p.m. and shall make necessary escort to the convict prisoner for attending the marriage function.'

(ii) It is open to the Superintendent, Central Prison, Madurai, to impose necessary conditions for releasing the petitioner.



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(iii) The convicted prisoner has to be escorted back to the Central Prison, Madurai, by 8.00 p.m. on 19.02.2024.

6. Accordingly, this Criminal Miscellaneous Petition is ordered.

7. For reporting compliance, post the matter on 21.02.2024.

sd/-
15/02/2024

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15/02/2024
Sub-Assistant Registrar (Writ)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJ

To

1.The VI Additional District and Sessions Judge,
Madurai.

2.The Inspector of Police,
Theppakulam Police Station,
Madurai City.

3.The Superintendent,
Central Prison,
Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER

IN

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in

CRL A(MD) No.317 of 2023

Date :15/02/2024

ED/ /SAR- (15/02/2024) 5P / 5C

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