



CRL MP(MD) No.3058 of 2024

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

Monday, the Eleventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
and
The Hon`ble Mr.Justice C. KUMARAPPAN

CRL MP(MD) No.3058 of 2024
IN
CRL A(MD) No.210 of 2024

1 SURESH

2 NANTHAKUMAR

... PETITIONERS/ APPELLANTS/
ACCUSED NO.9 & 11

Vs

THE INSPECTOR OF POLICE
LALAPETTAI POLICE STATION,
LALAPETTAI, KARUR DISTRICT.
CRIME NO. 399/2021

... 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 suspend the sentence and release the appellants on bail pending disposal of this criminal appeal before this Honble court against the Judgment in S.C No. 30 of 2022 on the file of the Honble Principal District and Session court, Karur dt.15.02.24.

Prayer in CRL A(MD) No.210 of 2024:

To call for the entire records connected to the Judgment in S.C.No.30 of 2022 on the file of the Hon'ble Principal District and Sessions Court, Karur dated 15.02.2024 in Crime no.399 of 2021 on the file of the Respondent and set aside the same as illegal.



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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.KARUNAKARAN.K.M, Advocate for the petitioners and of MR.S.RAVI, Additional Public Prosecutor on behalf of the Respondents, while admitting the Criminal Appeal, the court made the following order:-

This Petition has been filed to suspend the sentence imposed against the Petitioners in S.C.NO.30 of 2022, deated 15.02.2024, on the file of Principal District and Sessions Court, Karur and to release them on bail till the disposal of the main appeal.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The appellants are found guilty for the offence under Section 212 r/w 302 of IPC and convicted and sentenced them to undergo rigorous imprisonment for two years with a fine of Rs.1,000/- and in default, to undergo rigorous imprisonment for six months.Aggrrieved by the same, the Petitioners have filed the above Criminal Appeal,



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4.The learned counsel for the petitioner/appellant submitted that there are valid grounds to set aside the order of conviction and sentence. Therefore, pending appeal, the sentence may be suspended.

5.The trial Court had suspended the sentence till 15.03.2024. On perusing the grounds of appeal, this Court finds that there are certain arguable points for reconsidering the evidence, while appreciating the above Criminal Appeal.

6. Accordingly, this Criminal Miscellaneous Petition is allowed and the sentence ordered by the Trial Court through the impugned judgment is suspended subject to the following conditions:-

(i)The petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees fifty thousand only), with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Kulithalai; and

(ii)The petitioners shall appear before the learned Judicial Magistrate, Kulithalai, once in a month on the first working day of every English Calender month at 10.30 a.m. until further orders and if



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they are not able to appear before the said Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the said Court on any other day in lieu of the date of their absence, as directed by the said Court.

sd/-
11/03/2024

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/03/2024

Sub-Assistant Registrar (CS -I / II/ III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsn

TO

1.THE PRINCIPAL DISTRICT AND SESSIONS COURT, KARUR

2.THE JUDICIAL MAGISTRATE, KULITHALAI

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

4.THE INSPECTOR OF POLICE
LALAPETTAI POLICE STATION,
LALAPETTAI, KARUR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-3029[I] dated 11/03/2024)



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ORDER

IN

CRL MP(MD) No.3058 of 2024

IN

CRL A(MD) No.210 of 2024

Date :11/03/2024

RK/VR (15/03/2024) 5P / 7C

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