



CRL MP(MD) No.5411 of 2024

WEB COPY

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

Thursday, the Twenty Third day of May Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRL MP(MD) No.5411 of 2024

IN

CRL RC(MD) No.506 of 2024

MEENAKSHI

(NOW CONFINED IN SPECIAL
PRISON FOR WOMEN,TRICHY).

... PETITIONER/PETITIONER

/ APPELLANT/ ACCUSED -1

Vs

THE SUB INSPECTOR OF POLICE
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.

(CR.NO.997 OF 2022)

... RESPONDENT/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 imposed in C.C.No.57 of 2023 dated 09.10.2023 by the learned Judicial Magistrate No.1, Kumbakonam confirmed by the Principal District and Sessions Judge, Thanjavur in Criminal Appeal No.43 of 2024 dated 10.04.2024 and enlarge the petitioner on bail pending disposal of main Criminal Revision.

Prayer in CRL RC(MD). 506/ 2024 :

To call for records and set aside the conviction and sentence passed in C.C.No.57 of 2023 dated 09.10.2023 by the learned Judicial Magistrate No.1, Kumbakonam and confirmed by the Principal District and Sessions Judge, Thanjavur

<https://www.mhc.tn.gov.in/judis>



CRL MP(MD) No.5411 of 2024

in Criminal Appeal No. 43 of 2024 dated 10.04.2024.

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.MANIMARAN.P., Advocate for the petitioner and of MR.A.THIRUVADIKUMAR, Additional Public prosecutor on behalf of the Respondent, while admitting the Criminal Revision case, the court made the following order:-

This petition has been filed to suspend the sentence imposed in C.C.No.57 of 2023 dated 09.10.2023 by the learned Judicial Magistrate No.1, Kumbakonam confirmed by the Principal District and Sessions Judge, Thanjavur in Criminal Appeal No.43 of 2024 dated 10.04.2024 and enlarge the petitioner on bail pending disposal of main Criminal Revision.

2. The learned Judicial Magistrate I, Kumbakonam, vide judgment dated 09.10.2023 passed in C.C.No.57 of 2023, convicted the petitioner for the offence punishable under Section 379 IPC and sentenced him to undergo three years rigorous imprisonment and to pay a fine of Rs.10,000/- in default to under to two months simple imprisonment. Challenging the above judgment, the petitioner preferred an appeal in Crl.A.No.43 of 2024, which was also confirmed by the learned Principal Sessions Judge, Thanjavur, vide judgment dated 10.04.2024.



CRL MP(MD) No.5411 of 2024

WEB COPY

3. Challenging the conviction and sentence slapped by the Trial Court and the lower Appellate Court, the petitioner is before this Court.

4. The learned counsel appearing for the petitioner submitted that there is no duly proved legally enforceable debt as against the petitioner and there are arguable points in this Criminal Revision Petition and hence, prayed for suspension of sentence.

5. Heard the learned counsel appearing for the petitioner and perused the impugned judgments and the materials on record.

6. Taking into consideration of the above submission of the learned counsel appearing for the petitioner, this Court finds that the petitioner has substantial grounds in this Criminal Revision Petition, which require detailed appraisal. Therefore, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence.

7. Accordingly, it is ordered as follows :

(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty

<https://www.mhc.tn.gov.in/judis>



CRL MP(MD) No.5411 of 2024

Five Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.1, Kumbakonam;

(ii) 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 to ensure their identity; and

(iii) The petitioner shall appear before the trial Court once in a month i.e., on the first working day of every English calendar month at 10.30 a.m., until further orders and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 of Cr.P.C and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

sd/-
23/05/2024

/ TRUE COPY /

23/05 /2024
Sub-Assistant Registrar (AD-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MGA/ABR
TO
1 THE JUDICIAL MAGISTRATE NO.I
KUMBAKONAM

2 DO THROUGH:
<https://www.mhc.tn.gov.in/judis>



CRL MP(MD) No.5411 of 2024

THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.

- 3 THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, THANJAVUR.
- 4 THE SUB INSPECTOR OF POLICE
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE OFFICER INCHARGE
SPECIAL PRISON FOR WOMEN, TRICHY.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.MANIMARAJ, Advocate (SR-5728[I] dated 23/05/2024)

ORDER
IN
CRL MP(MD) No.5411 of 2024
IN
CRL RC(MD) No.506 of 2024
Date :23/05/2024

PKP/23.05.2024/ 5P/ 8C

Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023