



CRL.M.P.(MD)No.5735 of 2024

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

Tuesday, the Twelfth day of November Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN
and
The Hon`ble Ms.Justice R. POORNIMA

CRL.M.P.(MD)No.5735 of 2024
IN
CRL.A.(MD)No.310 of 2023

PARIMANAM @ RANJITH

... APPELLANT/ACCUSED 2

Vs

THE INSPECTOR OF POLICE
SOMARASAM PETTAI POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.254/2017).

... 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 imposed on the petitioner by the learned II Additional District and Sessions Judge, Tiruchirappalli in SC No.232/2018 dated 28/2/2023 and release the petitioner on bail pending disposal of the above Criminal Appeal.

Prayer in CRL.A.(MD)No.310 of 2023:

Pleased to call for records and set aside the judgment passed by the Learned II Additional District and Sessions Judge, Tiruchirappalli in SC.No.232 of 2018 dated 28.02.2023 and acquit the appellant herein.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon
<https://www.jmhc.tn.gov.in/judis>



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perusing the petition filed in support thereof and upon hearing the arguments of M/S.OM PRAKASH T A, Advocate for the petitioner and of Mr.T.SENTHIL KUMAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

Heard both sides.

2. The petitioner is figuring as second accused in S.C.No.232 of 2018 on the file of the II Additional District and Sessions Judge, Tiruchirappalli. He has been convicted and sentenced by the learned Sessions Judge vide judgment dated 28.02.2023 is as follows:-

Offence u/s.	Sentence of imprisonment
120B IPC r/w. 302 IPC	Seven years Rigorous Imprisonment
302 IPC	Life Imprisonment
449 IPC	Ten years Rigorous Imprisonment
342 IPC	One year Rigorous Imprisonment

He seeks suspension of the sentence imposed on him.

3. It is seen that the father of the deceased was the defacto complainant. He had specifically named one Jeyaganthan A1 as the person who inflicted fatal injuries on the deceased. In the FIR, it is also stated that two other persons had caught hold of the deceased.

4. The petitioner's name is not found in the FIR. No identification parade was also conducted. In these circumstances we are of the view that the petitioner has got



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arguable points in the appeal. The sentence imposed on the petitioner is suspended.

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5. Accordingly, this Criminal Miscellaneous Petition is ordered and the imprisonment ordered by the trial Court through the impugned judgment dated 28.02.2023 is suspended subject to the following conditions:-

i. The petitioner/ accused No.2 is directed to be enlarged on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only), with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned II Additional District and Sessions Judge, Tiruchirappalli.

ii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Court may obtain a copy of their Aadhar card or Bank passbook to ensure their identity.

iii. The petitioner shall report before the learned II Additional District and Sessions Judge, Tiruchirappalli, in 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 Court on any day, he shall make



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arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Court on any other day in lieu of the date of his absence, as directed by the Court.

sd/-
12/11/2024

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13/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PMU

TO

1 THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE,
TIRUCHIRAPPALLI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3 THE INSPECTOR OF POLICE
SOMARASAM PETTAI POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.T.J.EBENEZER CHARLES, Advocate (SR-13858[I] dated 12/11/2024)



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ORDER
IN
CRL.M.P.(MD)No.5735 of 2024
IN
CRL.A.(MD)No.310 of 2023
Date :12/11/2024

SA/SAR. /13.11.2024/5P/6C

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