



CRL MP(MD) No.6793 of 2024

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

Monday, the Fourteenth day of October Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL MP(MD) Nos.6793 & 1152 of 2024
IN
CRL A(MD) No.525 of 2022

SOLAI GANESAN

... PETITIONER/PETITIONER/ APPELLANT
IN CRL MP(MD).6793/ 2024

... PETITIONER/ APPELLANT/ ACCUSED NO.1
IN CRL MP(MD).1152/ 2024

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PUDUKKOTTAI,
PUDUKKOTTAI DISTRICT.
CRIME NO.5 OF 2018.

... RESPONDENT/RESPONDENT/COMPLAINANT
IN CRL MP(MD).6793/ 2024

... RESPONDENT/RESPONDENT/DEFACTO COMPLAINANT
IN CRL MP(MD).1152/ 2024

Prayer in CRL MP(MD). 6793/ 2024 :

To grant interim suspension of sentence imposed on the petitioner by the Sessions Judge, Mahila court, Pudukkottai by its judgment in S.C No. 26 of 2018 dated 14.06.2022 and enlarge him on interim bail for a period of 30 days to attend the last rites and subsequent rituals of the petitioner's deceased mother namely Rajammal who died on 29.06.2024, pending disposal of the criminal appeal.

Prayer in CRL MP(MD).1152/ 2024 :

To Suspend the Sentence imposed on the Petitioner by the Sessions Judge, Mahila Court, Pudukkottai in Special Sessions Case No.26 of 2018 dt.14.6.2022 and enlarge the Petitioner on bail pending disposal of the above Criminal Appeal.



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Prayer in CRL A(MD).525 of 2022:

To Call for the records relating to the judgment passed in Spl.S.C.No. 26/2018 on the file of the Court of the Learned Mahila Court, Pudukottai dated on 14.06.2022 and set aside the same and acquit the Appellant/Accused No.1 from the charges leveled against him.

Common Order : These Criminal Miscellaneous Petitions coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.A.HAJA MOHIDEEN, Advocate for the petitioner in CRL MP (MD).1152/2024 and MR.K.RAJESHWARAN, Advocate for the petitioner in CRL MP (MD).6793/2024 and of MR.M.SAKTHI KUMAR, Government Advocate (Crl.Side) on behalf of the Respondent in both CRL MP's, the court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Sessions Judge, Mahila Court, Pudukkottai in Spl.S.C.No.26 of 2018 dated 14.06.2022.

2.By order dated 12.02.2024, in C.M.P(MD)No.1152 of 2024, interim suspension of sentence was granted to the petitioner for making settlement. Thereafter, regular petition has been filed by the petitioner in C.M.P(MD)No.6793 of 2024, seeking suspension of sentence.

3.The second application seeking same relief in C.M.P(MD)No.6793 of 2024, which may not lie. So that application in C.M.P(MD)No.6793 of 2024 is Dismissed as unnecessary.

4.Learned counsel for the respondent would submit that the defacto complainant went abroad and because of her non-availability, no settlement could be reached. Now they are making arrangement to settle the issue through a common



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friend.

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5.Considering the fact that whether the marriage was performed suppressing the earlier marriage or not, is a matter for consideration in the main appeal.

6.In view of the development, considering the incarceration period of the accused, the interim suspension of sentence granted to the petitioner, C.M.P(MD) No.1152 of 2024, is made absolute.

7.Accordingly, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the petitioner is directed to be enlarged on bail on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Mahila Court, Pudukkottai, and on further condition that the petitioner shall appear before the said Court once in a week at 10.30 a.m. pending appeal.

sd/-

14/10/2024

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/10/2024

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

pnn



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TO

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1 THE SESSIONS JUDGE, MAHILA COURT, PUDUKKOTTAI.

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
PUDUKKOTTAI, PUDUKKOTTAI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

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

+1. C.C. to M/S.K.RAJESHWARAN Advocate SR.No.12376[I] Dated 14/10/2024

ORDER

IN

CRL MP(MD) Nos.6793 & 1152 of 2024

IN

CRL A(MD) No.525 of 2022

Date :14/10/2024

RS/MMS/IT/SAR-(16.10.2024) 4P 6C

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