



CRL MP(MD) No.6976 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Friday, the Twenty Third day of August Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.6976 of 2024
in
CRL A(MD)No.581 of 2024

PANDIMANI

... PETITIONER/ APPELLANT

Vs

THE INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
CR.NO.528/2012

... RESPONDENT/RESPONDENT

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 Conviction and sentenced and grant bail to the appellant pending disposal of the Criminal Appeal before this Honourable Court against the Judgment in SC No.45/2014 on the file of the Sessions Court Mahila Fast Track Court Dindigul dated 20.05.2024 pending disposal of the Appeal on such terms and conditions as may be deemed fit and thus render justice.

PRAYER in CRL A(MD)No.581 of 2024:

To call for the records in S.C.No.45 of 2014 on the file of the Sessions Court Mahila Fast Track Court, Dindigul dated 20.05.2024 and set aside the same and acquit the Appellant.

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 Mr.R.VENKATESAN, Advocate for the petitioner and of Mr.M.SAKTHI KUMAR, Government Advocate(Crl.side) on behalf of the Respondent, the Court made the following order:-



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The petitioner is an accused in S.C.No.45 of 2024 on the file of the Sessions Court, Fast Track Mahila Court, Dindigul, for the offence punishable under Section 307 IPC.

2. The case of the prosecution is that the injured/defacto complainant is the wife of the accused. Trouble arose between the accused and his wife, since the accused was not attending his job properly. He used to borrow money from various persons and pick up quarrel with his wife in a drunken mood. Since the money lenders demanded the defacto complainant to repay the amount borrowed by the accused, she advised him to repay the borrowed amount, due to which, there was a quarrel between them. On 22.10.2012, at about 7.00 p.m., the accused, with an intention to kill his wife, chased her with an aruval to the house and caused indiscriminate assault. In the assault with aruval, the defacto complainant suffered injuries on the right leg, left side rib region and other injuries on the back side of the left rib portion. He also tried to slit her neck. Hence, the case.

3. After the trial, the learned Sessions Judge, by Judgment dated 20.05.2024, in S.C.No.45 of 2024, convicted the accused for the alleged offence under Section 307



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IPC and sentenced him to undergo four years rigorous imprisonment and to pay a fine of Rs.2,000/- in default to undergo six months simple imprisonment.

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4. Challenging the conviction and sentence imposed by the trial Court, the petitioner has filed CrI.A.(MD)No.581 of 2024 along with a petition in CrI.M.P.(MD) No.6976 of 2024 seeking suspension of sentence imposed against him.

5. The learned counsel appearing for the petitioner submits that there was quarrel between the husband and the wife over not attending the job. The alleged occurrence was also denied by the petitioner.

6. The petitioner was directed to appear before this Court through Video Conference. Pursuant to the direction of this Court, the petitioner/accused has appeared through Video Conference from the Central Prison, Madurai. On enquiry, the petitioner/accused fairly states that because of his job nature, trouble arose between himself and his wife. He used to take alcohol also. He further states that he will correct himself, if he is released on bail.

7. Considering the the manner in which the alleged occurrence said to have



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taken place and the period of incarceration, this Court is not inclined to suspend the sentence for the present.

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8. Accordingly, this Criminal Miscellaneous Petition is dismissed for the present.

sd/-
23/08/2024

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/08/2024

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

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TO

- 1 THE SESSIONS JUDGE,
MAHILA FAST TRACK COURT, DINDIGUL
- 2 THE INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
- 3 THE SUPERINTENDENT OF
CENTRAL PRISON, MADURAI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL MP(MD) No.6976 of 2024
in
CRL A(MD)No.581 of 2024
Date :23/08/2024

SS/VR/SAR- /30/08/2024/5P/5C

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