



CRL MP(MD) No.8666 of 2024

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

Tuesday, the Twenty Seventh day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.8666 of 2024

IN

CRL A(MD) No.688 of 2024

MASANAM

... APPELLANT/SOLE ACCUSED

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,
VEERAVANALLUR,
VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.182 OF 2016.

...RESPONDENT/COMPLAINANT

2 JEGATHEESH

...RESPONDENT/DEFACTO COMPLAINANT

3 MAHARAJAN

... RESPONDENT/VICTIM (P.W.4)

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to enlarge the petitioner on bail by suspending the sentence imposed by the Learned II Additional District and Sessions Judge (PCR), Tirunelveli in S.C.No.92 of 2017 vide his Judgment dated 30.07.2024 pending the disposal of the main Criminal Appeal pending on the file of this Hon'ble Court.

Prayer in CRL A(MD) No.688 of 2024:

To call for the entire records pertaining to the judgment delivered by the learned II Additional District and Sessions Judge(PCR) Tirunelveli District in S.C.No.92 of 2017 vide his judgment dated 30.07.2024 and set aside the same and consequently acquit the appellant honorably and thus render justice.



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Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S. ANAND.R, Advocate for the petitioner and of MR.M.SAKTHI KUMAR, Government Advocate (Crl.side) on behalf of the Respondent No.1 the court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned II Additional District and Sessions Judge (PCR), Tirunelveli, dated 30.07.2024, in S.C.No.92 of 2017 and enlarge the petitioner on bail, pending disposal of the above said Criminal Appeal.

2. The learned counsel for the petitioner submits that the petitioner was convicted for the offence under Sections 341, 323, 506(ii) IPC and Section 3(1)(s) of SC/ST (POA) Act 2015 and imposed a fine of Rs.500/-, in default, to undergo 5 days simple imprisonment for the offence under Section 341 IPC and to pay a fine of Rs.1,000/- in default to undergo one month simple imprisonment for the offence under Section 323 IPC and to pay a fine of Rs.5,000/- in default to undergo one year simple imprisonment for the offence under Section 506(ii) IPC and also sentenced to undergo one year rigorous imprisonment for the offence under Section 3(1)(s) of SC/ST (POA) Act, 2015. The sentences were ordered to run concurrently. Set off under Section 428 Cr.P.C. is also ordered.



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3. It is submitted by the learned counsel for the petitioner that the sentence was already suspended by the trial Court till 27.08.2024 (today) by order dated 30.07.2024.

4. Having regard to the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future and also considering the fact the petitioner are already enlarged on bail by the trial Court, 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) with two sureties each for a like sum to the satisfaction of the learned II Additional District and Sessions Judge (PCR), Tirunelveli and on further condition that the petitioner appear before the said Court at 10.30 a.m. on the first working day of every English Calendar month, pending disposal of the appeal.

sd/-
27/08/2024

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27/08/2024
Sub-Assistant Registrar (CS-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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



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TO
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- 1.THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE (PCR), TIRUNELVELI
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
VEERAVANALLUR,
VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.8666 of 2024
IN
CRL A(MD) No.688 of 2024
Date :27/08/2024

RK (27/08/2024) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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