



Crl.M.P.(MD)No.9891 of 2024

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

Tuesday, the Third day of December Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE G.R.SWAMINATHAN
and
The HONOURABLE MS. JUSTICE R. POORNIMA

Crl.M.P.(MD)No.9891 of 2024
in
Crl.A(MD)No.774 of 2024

KRISHNA VIGNESH

...APPELLANT/SOLE ACCUSED

Vs

THE STATE OF TAMILNADU
REP BY THE INSPECTOR OF POLICE,
MAMSAPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.31/2021

... RESPONDENT/RESPONDENT

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 in S.C.200 of 2022 on the file of the Learned Principal District and Sessions Judge, virudhunagar @ Srivilliputhur dated 08.08.2024 and thus render justice.

PRAYER IN Crl.A(MD)No.774 of 2024:

To call for the records and set aside the judgment of conviction passed in S.C.No.200 of 2022 dated 08.08.2024 by the Learned Principal District and Sessions Judge, Virudhunagar @ Srivilliputhur and allow this Criminal Appeal.



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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 MR.G.THALAIMUTHURASU, Advocate for the petitioner and of MR.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

Heard both sides.

2. The petitioner was convicted and sentenced to life imprisonment vide Judgment dated 08.08.2024 in S.C.No.200 of 2022 on the file of the Principal District and Sessions Judge at Srivilliputhur, Virudhunagar District.

3. One Veera Prabu was done to death on 22.02.2021. In this regard, FIR was registered under 174 of Cr.P.C. Veera Prabu's wife Gayathri committed suicide on 24.06.2021. It is stated that before committing suicide, Gayathri had told her father (P.W.1) that she and the petitioner herein had smothered the deceased to death. P.W.1 informed the police on 14.06.2022 and thereafter, FIR was altered to one under Section 302 of IPC. Except the hearsay evidence of P.W.1, there is no other admissible evidence against the petitioner herein. We are satisfied that the petitioner has arguable case on merits in the main appeal. Hence, we are inclined to grant suspension of sentence.



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4. Accordingly, this Criminal Miscellaneous Petition is ordered and the imprisonment ordered by the trial Court through the impugned judgment, dated 08.08.2024 is suspended subject to the following conditions:-

i. The petitioner/sole accused 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 Principal District and Sessions Judge, Srivilliputhur, Virudhunagar District.

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 Principal District and Sessions Judge, Srivilliputhur, Virudhunagar District, 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 trial



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Court on any day, he shall make arrangements to file an application under Section 317 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/-
03/12/2024

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04/12/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

rmi

TO

1.THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

2.THE INSPECTOR OF POLICE,
MAMSAPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.

3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-14862[I] dated 03/12/2024)



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ORDER
IN
CrI.M.P.(MD)No.9891 of 2024
in
CrI.A(MD)No.774 of 2024
Date :03/12/2024

RK/ (04/12/2024) 5P / 6C

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