



CRL.M.P.(MD)No.10300 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.10300 of 2024
in
CRL.A.(MD)No.61 of 2024

SULAIMAN

... PETITIONER/ APPELLANT/
ACCUSED 1

Vs

THE INSPECTOR OF POLICE,
PAVOORCHATRAM POLICE STATION,
TENKASI DISTRICT,
CRIME NO.95/2019

... 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 against the petitioner by the Judgment dt 19.12.2023 in S.C.No. 374/2019 on the file of the Additional District and Sessions Judge (FTC) Tenkasi and grant bail to the petitioner and thus render justice.

Prayer in CRL.A.(MD)No.61 of 2024:

To call for the records pertaining to the Judgment Dated 19.12.2023 in SC.No.374 of 2019 on the file of the Additional District and Sessions Judge (FTC), Tenkasi and set aside the same as illegal.



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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.VINOTH BHARATHI, Advocate for the petitioner and of on behalf of the Respondents the court made the following order:-

Heard both sides.

2. The petitioner figured as A1 in S.C.No.374 of 2019 on the file of the Additional District and Sessions Judge (FTC), Tenkasi. He was convicted for the offences under Sections 449, 302 & 506(1) of IPC and sentenced to life imprisonment. It is seen that two other co-accused who are similarly placed were granted suspension of sentence vide order dated 19.09.2024 in CrI.M.P.(MD)No.4449 of 2024 in CrI.A.(MD)No.252 of 2024.

3. We are inclined to adopt the very same approach in the present case also. Accordingly, this Criminal Miscellaneous Petition is ordered and the sentence imposed on the petitioner vide Judgment dated 19.12.2023 is suspended subject to the following conditions:-

i. The petitioner 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 Additional District and Sessions Judge

(FTC), Tenkasi.



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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 Additional District and Sessions Judge (FTC), Tenkasi, 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 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.

4. This Criminal Miscellaneous Petition is allowed.

sd/-

12/11/2024

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/11/2024

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

RMI

TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE (FTC),
TENKASI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.



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3 THE INSPECTOR OF POLICE,
PAVOORCHATRAM POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.R.VINOTH BHARATHI, Advocate (SR-13967[I] dated 13/11/2024)

ORDER IN
CRL.M.P.(MD)No.10300 of 2024
in
CRL.A.(MD)No.61 of 2024
Date :12/11/2024

SA/SAR. /13.11.2024/4P/6C

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