



Crl.RC.(MD)No.967 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.RC.(MD)No.967 of 2024

D.Suresh

... Petitioner

Vs.

The Inspector of Police,
K.K.Nagar Police Station,
Trichy District.
(Crime No.396 of 2021)

... Respondent

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 of BNSS, to call for the records relating to the order passed in Crl.M.P.No. 4546 of 2024 in Criminal Appeal No.72 of 2024 dated 09.09.2024 by the learned II Additional District and Sessions Judge, Tiruchirappalli District and set aside the same and release the petitioner on bail forthwith.

For Petitioner : Mr.K.A.S.Prabhu

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl. Side)



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ORDER

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This criminal revision case is directed against the order passed Crl.M.P.No.4546 of 2024 in Criminal Appeal No.72 of 2024 dated 09.09.2024 by the learned II Additional District and Sessions Judge, Tiruchirappalli District.

2.It is not in dispute that the learned Chief Judicial Magistrate, Tiruchirappalli, after full-fledged trial, has passed judgment and conviction, convicting the petitioner for the offence under Sections 324(2 counts), 307 IPC and sentenced him to undergo 7 years rigorous imprisonment and to pay a fine of Rs.2,000/- in default to undergo three months simple imprisonment for the offence under Section 307 IPC and also sentenced to undergo one year rigorous imprisonment for each count of the offence under Section 324(2 Counts) IPC. Challenging the same, the petitioner preferred an appeal in Crl.A.No.72 of 2024 along with petition for suspending the sentence in Crl.M.P.No.4546 of 2024 and the learned II Additional District and Sessions Judge, Tiruchirappalli by considering the fact that the petitioner has been in incarceration only for



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25 days after the trial Court judgment and taking note of the seriousness of the charges, dismissed the petition.

3.It is pertinent to note that the petitioner is in incarceration for the past 47 days. No doubt the petitioner has produced some medical records. It is evident that the petitioner was given treatment in the year 2013. Except the above, the petitioner has not produced any medical record to show that he is not well now.

4.Considering the above, the impugned order passed by the learned II Additional District & Sessions Judge, Tiruchirappalli cannot be found fault with and hence, this Court concludes that this revision is devoid of merits and liable to be dismissed. Accordingly, this criminal revision case is dismissed.

03.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

gns

To

- 1.The II Additional District & Sessions Judge, Tiruchirappalli
- 2.The Inspector of Police,
K.K.Nagar Police Station, Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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