



CRL MP(MD) No.11339 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Monday, the Twenty Eighth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.11339 of 2024
in
CRL A(MD)No.871 of 2024

1 RAMAR

2 KANNAN ... PETITIONERS/ APPELLANTS/ ACCUSED No.1 & 2

Vs

1 THE STATE OF TAMIL NADU
REP BY THE DEPUTY SUPERINTENDENT OF POLICE,
VIRUDHUNAGAR SUB DIVISION,
VIRUDHUNAGAR RURAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CR.NO.32/2023. ... RESPONDENT/RESPONDENT/COMPLAINANT

2 KARTHIKEYAN ... 2nd RESPONDENT

(R2 IS SUO-MOTU IMPEADED AS PER
ORDER OF THE COURT DATED
24/10/2024 in CRL A(MD).871 of 2024)

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 and release the petitioners on bail in Spl.SC.No.28 of 2023 on the file of the Sessions Judge, Special Court for Trial of SC/ST (POA) Act Cases, Virudhunagar District at Sriviliputhur, dated 01.10.2024 pending disposal of the above Criminal Appeal.



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PRAYER in CRL A(MD)No.871 of 2024:

To set aside the conviction passed by the learned Sessions Judge, Special Court for Trial of SC/ST(POA)Act cases, Virudhunagar District at Srivilliputhur in Spl.S.C.No.28 of 2023 dated 01-10-2024.

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 M/S.VELMURUGAN.R, Advocate for the petitioner and of Mr.M.SAKTHI KUMAR, Government Advocate(Crl.side) on behalf of the Respondents while admitting the Criminal Appeal., the Court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Sessions Judge, Special Court for Trial of SC/ST (POA) Act Cases, Virudhunagar District at Srivilliputhur, dated 01.10.2024.2024 in Spl.S.C.No.28 of 2023 and enlarge the petitioner on bail, pending disposal of the above said Criminal Appeal.

2.The learned counsel for the petitioner submitted that the petitioner, who is the seventh accused in this case has been convicted by the learned trial judge, for the alleged offence under Section 323 of IPC and sentenced him to undergo three months simple imprisonment and to pay a fine of Rs.1,000/- in default to undergo two weeks simple imprisonment.



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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 04.11.2024.

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) each with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Trial of SC/ST (POA) Act Cases, Virudhunagar District at Srivilliputhur, and on further condition that the petitioner shall appear before the said Court once in a week at 10.30 a.m. pending appeal.

sd/-
28/10/2024

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/11/2024

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



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TO

- 1 THE SESSIONS JUDGE,
SPECIAL COURT FOR TRIAL OF SC/ST(POA) ACT CASES,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
VIRUDHUNAGAR SUB DIVISION,
VIRUDHUNAGAR RURAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.VELMURUGAN, Advocate (SR-13279[I] dated 28/10/2024)

ORDER
IN
CRL MP(MD) No.11339 of 2024
in
CRL A(MD)No.871 of 2024
Date :28/10/2024

SS/MMS/SAR- /06/11/2024/ 4P/5C

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