



CRL.M.P.(MD)No.11543 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Twenty Fifth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL.M.P.(MD)No.11543 of 2024

in

CRL.A.(MD)No.890 of 2024

1 R.SAM

... 1st Petitioner / 1st Appellant / Accused No. 3

2 S. VINOTH

... 2nd Petitioner / 2nd Appellant / Accused No. 4

Vs

THE STATE OF TAMIL NADU
REP BY THE INSPECTOR OF POLICE,
KALIYAKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.

CRIME NO. 420/2008

... Respondent / 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 pursuant to the judgment of conviction and sentence rendered by the Honble Sessions Judge, Mahila Fast track Court, Nagercoil, Camp court at Kuzhithurai in S.C No. 357 of 2016 dt. 25.09.2024 pending disposal of the above Criminal Appeal.

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



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Prayer in CRL A(MD). 890/ 2024 :

To admit the Appeal on file and to call for the records from the Hon'ble Sessions Judge, Mahila Fast track Court, Nagercoil, Camp court at Kuzhithurai in S.C No. 357 of 2016 dt. 25.09.2024 and set aside the same and acquitted the appellant/accused.

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.K.P. KRISHNA DOSS, Advocate for the petitioner and of M/s.M.SAKTHI KUMAR, Government Advocate (Crl. Side) on behalf of the Respondents, while admitting the Court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Sessions Judge, Fast Track Mahila Court, Nagercoil, Camp at Kuzhithurai, dated 25.09.2024 in S.C.No.357 of 2016 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 third accused in this case has been convicted by the learned trial judge, for the alleged offence under Section 147 of IPC and sentenced him to undergo one year rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo 3 months simple imprisonment; for the alleged offence under Section 452 of IPC and sentenced him to undergo two years rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo 3 months simple imprisonment; for the alleged offence under Section 148 of IPC and sentenced him to undergo two years rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo 3 months simple imprisonment;



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for the alleged offence under Section 326 of IPC and sentenced him to undergo three years rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo 3 months simple imprisonment; and for the alleged offence under Section 324 of IPC and sentenced him to undergo two years rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo 3 months simple imprisonment. The above said sentence was ordered to run concurrently and set off under Section 428 IPC was also ordered. The petitioner was acquitted from the charges under Sections 294(b) and 506 (ii) of IPC.

3.It is submitted by the learned counsel for the petitioner that the sentence was already suspended by the trial Court till 25.10.2024.

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, Fast Track Mahila Court, Nagercoil, Camp at Kuzhithurai, and on further condition that



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the petitioner shall appear before the said Court once in a week at 10.30 a.m. pending

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appeal.

sd/-
25/10/2024

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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,
MAHILA FAST TRACK COURT,
NAGERCOIL, CAMP COURT AT KUZHITHURAI

2 THE INSPECTOR OF POLICE,
KALIYAKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.

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

COPY TO
THE SECTION OFFICER, CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to K.P. KRISHNA DOSS Advocate SR.No.13129(I) dated 25/10/2024



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ORDER
IN
CRL.M.P.(MD)No.11543 of 2024
in
CRL.A.(MD)No.890 of 2024
Date :25/10/2024

PSP/ MMS /SAR /30.10.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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