



CRL MP(MD) No.11687 of 2024

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

Tuesday, the Twenty Ninth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.11687 of 2024

in

CRL A(MD)No.860 of 2024

SUJI PRASAD @ SHAJI PRASATH @ SHAJU ... APPELLANT/ACCUSED No.5

Vs

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

CRIME NO. 420/2008

... 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 on the petitioner / appellant passed in S.C no. 357/2016 on the file of the learned Fast track Mahila court, Nagercoil dt. 25.09.2023 pending disposal of the criminal appeal.

PRAYER in CRL A(MD)No.860 of 2024:

To call for the records in S.C.No.357 of 2016 on the file of the Learned Fast Track Mahila Court, Nagercoil and set aside the order of conviction and sentence dated 25.09.2024 as against the appellant.

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.S.SRIKANTH, Advocate for M/S.APN LAW ASSOCIATES, Advocate for the



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petitioner and of Mr.M.SAKTHI KUMAR, Government Advocate(Crl.side) on behalf of the Respondent 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, Fast Track Mahila Court, Nagercoil, 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 fifth 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. The above said sentence was ordered to run concurrently and set off under Section 428 IPC was also ordered.

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



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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 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/-

29/10/2024

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/11/2024

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

TM

TO

1 THE JUDGE, FAST TRACK MAHILA COURT, NAGERCOIL.



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

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

+1 CC to M/s.M/S.APN LAW ASSOCIATES, Advocate (SR-13375[I] dated
29/10/2024)

ORDER
IN
CRL MP(MD) No.11687 of 2024
in
CRL A(MD)No.860 of 2024
Date :29/10/2024

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