



CRL MP(MD) No.11812 of 2024

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

Tuesday, the Nineteenth 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.11812 of 2024
in
CRL.A.(MD)No.927 of 2024

1 POOSAIYA

2 SAKTHIVEL

3 ARUMUGAM

4 YUVARAJAN

5 CHITHRA

6 PANDIUSHA @ USHA

7 VASANTHA

... Petitioner / Accused 1 to 7

Vs

THE STATE OF TAMIL NADU
REP BY THE INSPECTOR OF POLICE,
ARIMALAM POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO.16 OF 2019.

... Respondent / Complainant



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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 S.C.No.39 of 2020 dated 07.09.2024 on the file of Additional District and Sessions Judge/President Officer, Special Court for E.C.and NDPS Act Cases, Pudukkottai and order to release the petitioner/appellants 5 to 7 Accused No. 5 to 7 on bail pending disposal of the above main criminal appeal.

Prayer in CRL A(MD). 927/ 2024 :

To set aside the conviction and sentence dated 27.09.2024 made in S.C.No.39 of 2020 dated 07.09.2024 on the file of Additional District and Sessions Judge/President Officer, Special Court for E.C.and NDPS Act Cases, Pudukkottai by allowing this Criminal Appeal.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.ARUN.A.V, Advocate for the petitioner and of on behalf of the Respondents the court made the following order:-

Heard both sides.

2. The petitioners in Crl.M.P.(MD)No.11812 of 2024 figured as A5 to A7 in S.C.No.39 of 2020 on the file of the Additional District and Sessions Judge / Presiding Officer, Special Court for EC and NDPS Act Cases, Pudukkottai. Vide Judgment dated 07.09.2024, they were convicted for the offences under Sections 302 r/w 149 of IPC and sentenced to life imprisonment.

3. We went through the deposition of the witnesses. It is seen that the petitioners herein who are ladies have only used wooden logs. The death of the victim was due to cut injuries. The third petitioner is a senior citizen. The second petitioner is a young mother having one year old child. The first petitioner's husband



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figured as A1. He has also been incarcerated. We are satisfied that the petitioners have arguable points to project in the main appeal. Hence, we are inclined to suspend the sentence imposed on the petitioners / A5 to A7.

4. Accordingly, this Criminal Miscellaneous Petition is ordered and the imprisonment ordered by the trial Court through the impugned judgment, dated 07.09.2024 is suspended subject to the following conditions:-

i. The petitioners/A5 to A7 are directed to be enlarged on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only), each 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 / Presiding Officer, Special Court for EC and NDPS Act Cases, Pudukkottai.

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 petitioners shall report before the learned Additional District and Sessions Judge / President Officer, Special Court for EC and NDPS Act Cases, Pudukkottai, in the first working day of every English calendar month at 10.30 a.m., until further orders and if they are not able to appear before the trial Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C.



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and shall appear before the trial Court on any other day in lieu of the date of their
absence, as directed by the trial Court.

5. This Criminal Miscellaneous Petition is allowed.

sd/-
19/11/2024

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20/ 11 /2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

RMI

TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE /
PRESIDING OFFICER, SPECIAL COURT
FOR EC AND NDPS ACT CASES,
PUDUKKOTTAI

2 THE INSPECTOR OF POLICE,
ARIMALAM POLICE STATION,
PUDUKKOTTAI DISTRICT.

3 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY.

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

+1. C.C. to M/S.ARUN.A.V Advocate SR.No.14198(I) dated 19/11/2024



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ORDER
IN
CRL.M.P.(MD)No.11812 of 2024
in
CRL.A.(MD)No.927 of 2024
Date :19/11/2024

PSP/ /SAR /20.11.2024/ 5P/ C

Madurai Bench of Madras High Court is issuing certified
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