



CRL MP NO.18204 of 2024 in  
CRL A NO.1617 OF 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **10-01-2025**

CORAM

**THE HONOURABLE MR JUSTICE SUNDER MOHAN**

CRL MP NO.18204 of 2024

IN CRL.A.NO.1617 OF 2024

RAVI

S/o.Susai,

Residing At, Sikkamman Koil Stret,  
Mullaikorai, Ooty, Nilgiris.

Appellant(s)

Vs

State Rep. By

The Inspector Of Police,

G-1, Town West Police Station,

Ooty. Cr.No.965/2020.

Respondent(s)

For Appellant(s): Ms.Vijayalakshmi

For Respondent(s): Dr.C.E.Pratap Govt Advocate (crl Side)

### **ORDER**

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner in S.C.No.45 of 2021 dated 10.08.2023 on the file of the Assistant Sessions Judge, Udthagamandalam, pending disposal of the Criminal Appeal.



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2. The case of the prosecution is that the victim is the petitioner's wife; that suspecting her character, the petitioner frequently quarreled with her; that on 27.08.2020, at about 11.00 a.m., when the victim was returning from her work, the petitioner abused her and assaulted her with a knife on the left neck, forehead and left ear.

3. The petitioner/Accused in S.C.No.45 of 2021 was convicted by the Trial Court and sentenced to undergo **Five years** rigorous imprisonment for the offence under Section 307 IPC and to pay a fine of Rs.2,000/- in default to undergo three months simple imprisonment. Aggrieved by the same, the petitioner/accused filed Crl.A.No.1617 of 2024 along with the instant miscellaneous petition seeking suspension of sentence.

4. The learned counsel for the petitioner would submit that the prosecution case is false; that the petitioner has raised several arguable points in the above appeal which requires consideration; that the petitioner is in custody for one year and eight months, out of the total period of 5 years imprisonment imposed by the trial court and prayed for suspension of sentence.



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5. Heard the learned Govt. Advocate (crl.side) and perused the records.

6. It is seen that the petitioner has raised several arguable points in the above appeal which requires consideration and that the appeal is not likely to be taken up in the near future. The petitioner has served nearly one year and eight months of imprisonment as against the total imprisonment of 5 years rigorous imprisonment imposed by the trial court.

7. Considering the period of incarceration suffered by the petitioner and the fact that the appeal is not likely to be taken up in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

8. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended and the petitioner is ordered to be released on bail on the following conditions:



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- (i) The petitioner shall execute a bond for a sum of Rs.10,000/-, with two sureties, each for a like sum to the satisfaction of the learned the Assistant Sessions Judge, Udhagamandalam ;
- (ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and
- (iii) The petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

**10-01-2025**

rgf

**Issue order copy by 13.01.2025**  
**Upload the order copy forthwith.**



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**SUNDER MOHAN, J.**

rgt

To

- 1.The Assistant Sessions Judge,  
Udhagamandalam.
- 2.The The Inspector Of Police,  
G-1, Town West Police Station,  
Ooty.
- 3.The Superintendent  
Central Prison,  
Coimbatore.
- 4.The Public Prosecutor,  
High Court, Madras.

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