



CRL MP(MD) NO. 689 of 2025 in

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

CRL MP(MD) NO. 689 of 2025 in

Crl.A(MD) No.1037 of 2024

Raviromascharles

S/o.Arokiyasamy, Avarampatti, Malaiyapatti, Manapparai,
Trichy.

Petitioner

Vs

The State of Tamilnadu

Rep. by The Inspector of Police, Vaiyampatti Police Station, Trichy
District. Crime No. 692/2020.

Respondent

For Petitioner:

Mr.T.J. Ebenezer Charles, Advocate

For Respondent:

Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

The petitioner is A2 in S.C.No.4 of 2021, on the file of the II Additional District and Sessions Court, Tiruchirappalli. He was found guilty by the trial Court and imposed with rigorous imprisonment of 7 years with Rs.5,000/- as fine for the offence under Section 304(ii) IPC, in default, he has to undergo 6 months rigorous imprisonment and he was also imposed with rigorous imprisonment of 1 year with



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fine of Rs.1,000/-, for the offence under Section 324 IPC, in default, he has to undergo 3 months rigorous imprisonment. The petitioner has filed an appeal along with A1 and A3 in Cr.A(MD) No.1037 of 2024, as against the judgment of conviction rendered by the trial Court and the same was admitted by this Court on 28.11.2024. The sentence imposed as against the accused 1 & 3 were suspended by this Court, in Crl.MP(MD) Nos. 12826 of 2024 and 13991 of 2024 in Crl.A(MD) No.1037 of 2024, dated 29.11.2024 and 03.01.2025 respectively.

2.The learned counsel appearing for the petitioner submits that the petitioner is equally placed as that of the co-accused. According to him, the prosecution has filed the final report as against A1 to A5. The trial Court has convicted the accused 1 to 3. The suspension of sentence imposed on A1 and A3 were suspended by this Court, by its order, dated 29.11.2024 and 03.01.2025 and therefore, the sentence imposed on the petitioner may also be suspended.

3.The learned Government Advocate appearing for the respondent submits that this petitioner is having a motive as against the deceased. The petitioner and his father have attempted to grab the Government property, which was objected by the deceased by lodging a police complaint and while returning from the police station, he was assaulted and kicked in his private part, thereby, he succumbed to death. A4



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and A5 were acquitted by the trial Court, since they said to have caught hold of the deceased. This accused is the main accused, who caused the fatal injury to the deceased. Therefore, this petition is liable to be dismissed.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner was tried along with four other accused in S.C.No.4 of 2021, on the file of the II Additional District and Sessions Judge, Trichirappalli. The trial Court has acquitted A4 and A5 and convicted A1 to A3 for the offence under Sections 324 and 304(ii) IPC. It appears that A1 and A3 were already granted suspension of sentence by this Court in Crl.MP(MD) Nos. 12826 of 2024 and 13991 of 2024 in Crl.A (MD) No.1037 of 2024, dated 29.11.2024 and 03.01.2025 respectively. Even according to the prosecution, it was on a sudden provocation. It is claimed that the petitioner is having some arguable points in the appeal. Further, the appeal could not be taken up for final hearing in the near future. In view of the above, this Court is inclined to suspend the sentence imposed on the petitioner.

6.Accordingly, this Criminal Miscellaneous Petition is ordered and the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal and the petitioner is ordered to be enlarged on bail on executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for



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a like sum to the satisfaction of the learned II Additional District and Sessions Judge, Trichy and on further condition that the petitioner shall report before the Inspector of Police, Tiruppur South Police Station, Tiruppur, at 10.30 a.m., daily, till the disposal of the appeal.

sd/-
12/02/2025

/ TRUE COPY /

12/02/2025

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

TO

- 1 THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE, TIRUCHIRAPPALLI.
- 2 THE INSPECTOR OF POLICE,
VAIYAMPATTI POLICE STATION,
TRICHY DISTRICT.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE INSPECTOR OF POLICE,
TIRUPPUR SOUTH POLICE STATION,
TIRUPPUR.



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+1 CC to M/s.T.J.EBENEZER CHARLES, Advocate (SR-1564[I] dated 12/02/2025)

ORDER
IN
CRL MP(MD) No.689 of 2025
in
Crl.A(MD) No.1037 of 2024
Date :12/02/2025

SS/SAR- /12/02/2025/ 5P/7C

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