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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18-02-2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

CRL MP(MD) No. 1064 of 2025 in

CrI.A(MD) No.115 of 2025

Shahul Hameed

Petitioner

Vs

The State of Tamilnadu
The Inspector of Police,
Airport Police Station,
Trichy District.

Respondent

For Petitioner:

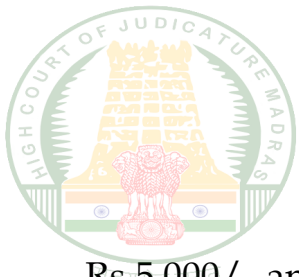
Mr.B.Jammelarasu

For Respondent:

Mr.P.Kottaichamy
Government Advocate

ORDER

The petitioner, an accused in S.C.No.147 of 2022, on the file of the III Additional District and Sessions Court, Trichy was found guilty for the offence under Section 3 of Tamil Nadu Public Property (Prevention and Destruction and Loss) Act, 1982 and was sentenced to undergo two years rigorous imprisonment with fine of



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Rs.5,000/- and default sentence of four months rigorous imprisonment has also been imposed. As against the conviction and sentence imposed by the trial Court, the petitioner has filed a Criminal Appeal in CrI.A(MD) No.115 of 2025 and the same has been admitted by this Court on 28.01.2025. The petitioner has also moved this application to suspend the sentence imposed on him by the trial Court.

2.The learned counsel appearing for the petitioner submits that the entire prosecution has been relied on the official witnesses alone and the prosecution was not supported with any independent witness. He further submits that the prosecution has not established the value of the damage caused by the petitioner.

3.The learned Government Advocate appearing for the respondent submits that the trial Court has considered the materials and the evidences placed, has convicted this petitioner and therefore prays for dismissal of this petition.

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

5.Considering that the petitioner's counsel is having some arguable points in the appeal and the appeal could not be taken up in the near future, this Court is inclined to suspend the sentence imposed on this petitioner with certain conditions.

6. Accordingly, 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

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Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Trichy and on further condition that the petitioner shall report before the Inspector of Police, Airport Police Station, Trichy, on every Monday at 10.30 a.m., till the disposal of the appeal.

sd/-
18/02/2025

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/02/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vrn
TO

1 THE JUDICIAL MAGISTRATE NO.VI,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3 THE INSPECTOR OF POLICE,
AIRPORT POLICE STATION,
TRICHY DISTRICT.

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

MADURAI

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



+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-1831[I] dated 19/02/2025)

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ORDER
IN
CRL MP(MD) No.1064 of 2025
Date :18/02/2025

NBF / GSV /SAR- (27/02/2025) 4P/6C

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