



CRL MP(MD) NO. 2526 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26-02-2025

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THE HONOURABLE MR JUSTICE B.PUGALENDHI

CRL MP(MD) NO. 2526 of 2025

IN

CRL A(MD) NO. 252 OF 2025

Ravikumar

S/o. Gopal, 6, Sappala Naickan Patti, Palani Taluk, Dindigul District.

Petitioner(s)

Vs

The State of Tamilnadu

Rep. by The Inspector of Police, Saminathapuram Police Station, Dindigul District.

Crime No. 179/2016.

Respondent(s)

For Petitioner(s):

Mr.P.Subbiah, Advocate

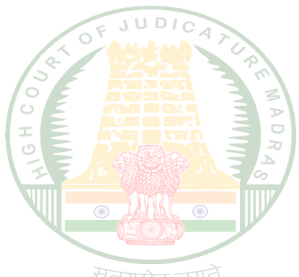
For Respondent(s):

Mr.P.Kottaichamy

Government Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition is filed by the petitioner /accused to suspend the sentence imposed as against him by the learned Judge, Additional Sessions Court (FTC), Palani, in S.C.No.55 of 2018, dated 20.12.2024.



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2. There are two accused and the petitioner is the first accused. They have been registered with a case in Crime No.179 of 2016, for the offence under Section 3(1) of the TNPPDL Act. The trial Court has found them guilty for the offence under Section 3(1) of the TNPPDL Act r/w Section 34 IPC, convicted and sentenced them to undergo simple imprisonment for one year and a fine of Rs.10,000/- each, in default, to undergo simple imprisonment for three months.

3. Learned counsel for the petitioner/appellant submits that the petitioner is in jail from 22.01.2025. The petitioner and the other co-accused have paid the fine amount and that the sentence imposed as against the co-accused was already suspended by this Court. He further submitted that they are having a fair chance of succeeding in the appeal and therefore, prayed to suspend the sentence pending the criminal appeal.

4. The learned Government Advocate (Crl. Side) appearing for the State submitted that the trial Court has considered the evidence and the documents produced by the prosecution and rightly found the petitioner guilty and convicted. Therefore, he has raised his objection to suspend the sentence imposed on the petitioner, pending this appeal.

5. This Court considered the submissions made by the learned Counsel on either side and perused the materials placed on record.



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6. It appears that the accused persons said to have caused damage to the tune of Rs.5,000/- and that the petitioner and the co-accused have already paid the fine amount of Rs.10,000/-, each, imposed by the trial Court. Moreover, the sentence imposed as against the co-accused has already been suspended by this Court. 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.

7. Accordingly, this miscellaneous petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal. 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 a like sum to the satisfaction of the learned Judge, Additional Sessions Court (FTC), Palani and on further condition that the petitioner shall appear before the respondent Police on the first working day of every English Calender month at 10.30 a.m., till the disposal of the appeal.

sd/-
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/02/2025

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

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TO WEB COPY

- 1 THE ADDITIONAL SESSIONS JUDGE
(FTC), PALANI.
- 2 THE INSPECTOR OF POLICE,
SAMINATHAPURAM POLICE STATION,
DINDIGUL DISTRICT.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.2526 of 2025
IN
CRL A(MD) NO. 252 OF 2025
Date :26/02/2025

SS/VR/SAR- /27/02/2025/ 4P/5C

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