



CRL MP(MD) No.6799 of 2024

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

Wednesday, the Twenty Fifth day of June Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA
and
The HONOURABLE MS. JUSTICE R. POORNIMA

CRL MP(MD) No.6799 of 2024
IN
CRL A(MD) No.572 of 2024

MOOVENTHIRAN
S/O.THANGAIYAN,55, COLONY STREET,
SANNAPURAM,KUMBAKONAM TALUK,
THANJAVUR DISTRICT,
PRESENTLY CONFINED AT
CENTRAL PRISON, TRICHY

... PETITIONER(S)

Vs

THE INSPECTOR OF POLICE
THIRUNEELAKUDI POLICE STATION,
THANJAVUR DISTRICT,
CRIME NO.148/2019

... RESPONDENT(S)

For Petitioner: M/S.KARTHICK.P, Advocate

For Respondent: Mr.A.Thiruvadikumar, Additional Public Prosecutor

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

Seeking to suspend the sentence imposed on the petitioner by the learned

Additional District Sessions Judge (Fast Track Court) Kumbakonam, vide Judgment

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dated 22.11.2023 in S.C.No.95 of 2020, he has filed this criminal miscellaneous
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petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
302 I.P.C.	To undergo life imprisonment	Rs.5000/- i/d to under go one year simple imprisonment

3. The deceased is the brother of the petitioner. The case of the prosecution is that on 29.09.2019 at about 8.00 pm., there was a wordy quarrel between the second accused and P.W.1 in which the deceased intervened and had gone to the house of the deceased, where in the accused said to have assaulted the deceased with wooden log and caused his death. Hence the case.

4. The Learned counsel appearing for the petitioner would submit that even as per the prosecution the alleged occurrence said to have taken place during quarrel. He would further submit that the petitioner is none other than the brother of the deceased. The deceased is the person who had entered into the house of the accused and during such time they said to have attacked the deceased with wooden log. Further there was no intention on the part of the accused to commit the offence. Even as per the prosecution there was only a single blow and apart from that are several arguable points and the appeal is of year 2024 and the petitioner is the



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custody from the date of judgment and the likelihood of the appeal being taken up for final hearing in the near future is also not possible and therefore, he prayed for suspension of sentence.

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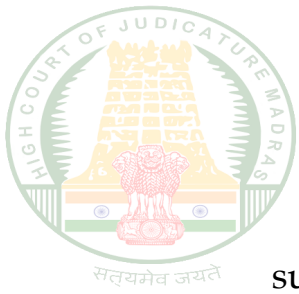
5. The learned Additional Public Prosecutor appearing for the respondent – Police, has filed a detailed counter and stated that the accused had beaten the deceased with wooden log and the incident said to have happened inside the house of the accused. He would further submit that though P.W.3 turned hostile he has also spoken about the quarrel, thereby, he would vehemently oppose for grant of bail to the petitioner.

6. Heard the learned counsel on either side and perused the materials available on record.

7. It is an application of suspension of sentence. We would not propose to delve deep into the evidence at this stage. Having gone through the records, we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

8. Accordingly, the criminal miscellaneous petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioner herein is suspended, subject to the following conditions:

- i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two



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sureties, each for a like sum to the satisfaction of the learned Additional District Sessions Judge (Fast Track Court) Kumbakonam.

- ii. 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 passbook to ensure their identity.
- iii. The petitioner shall stay at Nagercoil and report before the Inspector of Police, Kottar Police Station, daily at 10.30 a.m., until further orders.
- iv. It is made clear that the petitioner shall not enter into the jurisdictional limits of the respondent Police Station until further orders.

sd/-
25/06/2025

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26/06/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

aav
TO

1 THE ADDITIONAL DISTRICT SESSIONS JUDGE AND FAST TRACK COURT,
KUMBAKONAM, THANJAVUR DISTRICT.

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2 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

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3 THE INSPECTOR OF POLICE, THIRUNEELAKUDI POLICE STATION,
THANJAVUR DISTRICT.

4 THE INSPECTOR OF POLICE, KOTTAR POLICE STATION.

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

+1 CC to M/s.P.KARTHICK, Advocate (SR-6766[I] dated 25/06/2025)

ORDER

IN

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IN

CRL A(MD) No.572 of 2024

Date :25/06/2025

NBF/26.06.2025 5P/7C

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