



CRL MP(MD) No.6716 of 2024

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

Wednesday, the Eighteenth 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.6716 of 2024
in
CRL A(MD)No.568 of 2024

SASIKUMAR

... PETITIONER/ APPELLANT

Vs

THE INSPECTOR OF POLICE
REGUNATHAPURAM POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO. 70/2022

... RESPONDENT/RESPONDENT

For Petitioner : M/S.PRITHIVIRAJ.P.R., Advocate

For Respondent : Mr.B.NAMBI SELVAN, 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 Principal District and Sessions Judge, Pudukottai, *vide* Judgment dated 08.02.2024 in S.C.No.16 of 2023, he has filed this criminal miscellaneous petition.



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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.10,000/- i/d to undergo one year simple imprisonment

3. The case of the prosecution is that due to previous enmity on 23.08.2022 at about 1.15 am., the petitioner abused the deceased in filthy language and attacked him with sickle and caused his death. Hence the complaint.

4. The Learned counsel appearing for the petitioner would submit that even as per the prosecution the alleged occurrence said to have taken place in wee hours . Though P.W.1 stated that his father was watching certain persons playing cards namely Udaiyappan, Paramasivan and Rajendran, the prosecution failed to examine them as witnesses in this case. Further P.W.1 in this cross examination has admitted that the police had come to the scene of occurrence and that they have noted the injuries on the deceased and only subsequently complaint was given in the police station. Further even as per prosecution the deceased said to have caused



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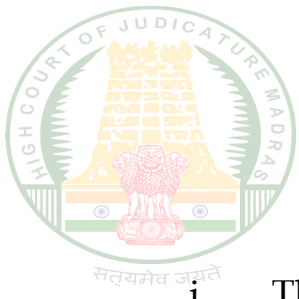
damage to the thatched shed put up by the petitioner and that is the motive and one Karmegam said to have witnessed the earlier occurrence was not examined by the prosecution. Further there are several arguable points and the appeal is of year 2024 and the petitioner is the custody from the date of judgment 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.

5. The learned Additional Public Prosecutor appearing for the respondent – Police, has filed a detailed counter and stated that there are eye witnesses to the occurrence and the witnesses have also spoken about the presence of light at the scene of occurrence, 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:



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- i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Principal District and Sessions Judge, Pudukottai.
- 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 Dharmapurai and report before the Inspector of Police, Dharmapuri Town 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/-
18/06/2025

/ TRUE COPY /

18/06/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV



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- TO
- 1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, PUDUKOTTAI.
 - 2 THE INSPECTOR OF POLICE
REGUNATHAPURAM POLICE STATION, PUDUKKOTTAI DISTRICT.
 - 3 THE SUPERINTENDENT
CENTRAL PRISON, TIRUCHIRAPPALLI.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE INSPECTOR OF POLICE
DHARMAPURI TOWN POLICE STATION.

+1 CC to M/s.P.R.PRITHIVIRAJ, Advocate (SR-6482[I] dated 18/06/2025)

ORDER
IN
CRL MP(MD) No.6716 of 2024
in
CRL A(MD)No.568 of 2024
Date :18/06/2025

SS/SAR- /18/06/2025/ 5P/7C

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