



CRL MP(MD) NO. 8997 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE R.N.MANJULA

CRL MP(MD) NO. 8997 of 2025

IN

CRL A(MD) NO. 751 OF 2025

Manikandan @ Jothimanikandan

Petitioner(s)

Vs

State Represented by
Inspector of Police,
Sri Vaikundam Police Station,
Tuticorin District.
(Cr.No.116 of 2018)

Respondent(s)

For Petitioner(s):

Mr.S.Ramanathan

For Respondent(s):

Mr.A.Albert James
Government Advocate (Crl. Side)

PRAYER: This Petition is filed under Section 430 of BNSS praying to suspend the sentence imposed against the petitioner in S.C.No.219/2019 dated 18.06.2025 on the file of the learned Judge, Fast Track Mahila Court, Tuticorin and enlarge him on bail pending disposal of the above appeal.



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ORDER

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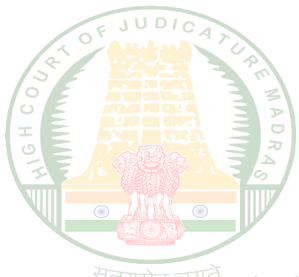
The Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Sessions Judge, Fast Track Mahila Court, Tuticorin, dated 18.06.2025 in S.C.No.219/2019 till the disposal of appeal.

2.The petitioner is the 3rd accused, who has been found guilty for the offence punishable under Section 307(2) IPC and convicted and sentenced to undergo 10 years RI and fine of Rs.5,000/-, in default to undergo 6 months RI.

3. The learned counsel appearing for the petitioner submitted that the counter complaint given by the accused has been registered, but not investigated; the Police Standing Orders with regard to the case in counter has been violated and charge sheet has been filed only against the complaint given by PW1; the injuries suffered by the injured witness PW1 was not proved to be the injuries inflicted by the petitioner / 3rd accused by sickle; and there is no clarity with regard to the place of occurrence. These facts have not been properly dealt by the Trial Court.

4. The learned Government Advocate (Crl. Side) submitted that the prayer for suspension of sentence can be considered on conditions.

5. As there is no possibility of taking up the appeal within a short period and also the grounds made out to admit this appeal, I feel it is appropriate to suspend the sentence alone on conditions. Accordingly, the substantive part of the sentence alone



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is suspended and the petitioner is enlarged on bail on the following conditions:

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- i. that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Fast Track Mahila Court, Tuticorin;
- ii. that the petitioner shall appear before the said Court on all working days at 10.30 a.m. till the disposal of appeal.

6. Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-

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/2025

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

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TO

- 1 THE SESSIONS JUDGE, FAST TRACK MAHILA COURT, TUTICORIN.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 3 THE INSPECTOR OF POLICE, SRI VAIKUNDAM POLICE STATION, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER

IN

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IN

CRL A(MD) No.751 of 2025

Date :08/08/2025

NBF/SAR- /13/08/2025/ 4P/5C

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