



CRL.MP(MD).No.9189 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2025

CORAM:

THE HONOURABLE MR JUSTICE B.PUGALENDHI

CRL.MP(MD).No.9189 of 2024

in

CRL A (MD).No.722 of 2024

Deivendran@Pandi

.. Petitioner/ Appellant/Sole Accused

Vs.

The State of Tamil Nadu
rep. by The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.
(Crime No.450/2014)

.. Respondent/Respondent/Complainant

Prayer: This Criminal Misceallenous Petition is filed to suspend the sentence imposed by the Learned Additional Sessions Judge for Fast Track Mahila Court, Karur in Spl.SC.No.54/2018 dated 17.06.2022 and release the petitioner pending disposal of the above criminal appeal.

For Petitioner : Mr.G.Bhagavath Singh

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl Side)

ORDER

The petitioner was found guilty by the Learned Additional Sessions Judge for Fast Track Mahila Court, Karur in Spl.SC.No.54 of 2018, convicted for the offences



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under Section 294 (b), 353, 307 of IPC and Section 4 of the Tamil Nadu Prohibition Act, 1973 and sentenced to undergo imprisonment for three (3) months for the offence under Section 294 (b) of IPC, sentenced to undergo imprisonment of two (2) years for offence under Section 353 of IPC, and sentenced to undergo imprisonment for 10 years and to pay a fine of Rs.100/- in default to undergo simple imprisonment for six (6) months for the offence under Section 307 of IPC and sentenced to undergo imprisonment for three (3) months for the offence under Section 4-A of the Tamil Nadu Prohibition Act, 1973.

2. As against the conviction, the petitioner has filed an appeal before this Court in CRL A (MD).No.722 of 2024 and the same was admitted by this Court. The petitioner has also filed this miscellaneous petition to suspend the sentence as against him.

3. The learned counsel for the petitioner submits that there are some arguable points in the main appeal. Apart from that the learned counsel for the petitioner submits that the petitioner is in jail from the date of judgment.

4. Heard the learned Government Advocate (Crl. Side), who would submit that apart from this case, the petitioner is having four other cases, however, all those cases are under the Tamil Nadu Prohibition Act, 1973 .



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5. Considering the period of incarceration and also considering that the petitioner is having some arguable points in the main appeal and it could not be taken up for final disposal immediately, this Court is inclined to suspend the sentence pending the criminal appeal.

6. Accordingly, this petition is allowed and 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 Thousand only) with two sureties each for a like sum to the satisfaction of the learned Additional Sessions Judge (Fast Track Mahila Court), Karur and on further condition that the petitioner shall appear before the Respondent-Police daily at 10.30 a.m., until further orders.

sd/-
26/02/2025

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05/03/2025

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

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- TO
- 1 THE ADDITIONAL SESSIONS JUDGE
(FAST TRACK MAHILA COURT), KARUR.
 - 2 THE INSPECTOR OF POLICE
PASUPATHIPALAYAM POLICE STATION,
KARUR DISTRICT.
 - 3 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.G.BHAGAVATH SINGH, Advocate (SR-2140[I] dated 26/02/2025)

ORDER
IN
CRL MP(MD) No.9189 of 2024
in
CRL A(MD)No.722 of 2024
Date :26/02/2025

SS/SAR- /05/03/2025/ 4P/6C

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