



Crl.M.P.(MD)No.13547 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.13547 of 2024

in

Crl.A.(MD)No.414 of 2021

Jegadeesh,
S/o.Ganesh,
No.1/11B, Anthonyar Kovil street,
Kulamanikkam,
Thirumanur Taluk, Ariyalur District.

Petitioner(s)

Vs

The State of Tamil Nadu,
Rep. by The Inspector of Police,
Pudukottai Town Police Station,
Pudukottai,
(In Crime No. 39/2019)

Respondent(s)

For Petitioner(s) : Mr.SMA.Jinnah

For Respondent(s): Mr.T.Senthil Kumar, Additional Public Prosecutor

ORDER

This petition has been filed to suspend the sentence imposed by the learned Sessions Judge, Mahila Court, Pudukkottai, in S.C.No.57 of 2019, dated 22.03.2021, till the disposal of the appeal.

2.The case of the prosecution is that this petitioner has snatched away the Thali chain of from the wife of P.W.1. Hence the case.

3.The learned counsel for the petitioner submits that the petitioner is in



Crl.M.P.(MD)No.13547 of 2024

incarceration right from the date of judgment i.e., 22.03.2021. The victim is the wife of P.W.1, who was not examined by the prosecution. He further submits that the prosecution projected the case as if when P.W.1 was travelling in a motorcycle, the petitioner, who was in another motorcycle, waylaid P.W.1 and snatched the Thali chain, whereas P.W.2 has stated in his evidence that when P.W.1 was standing at the bus stop, the petitioner snatched away the chain. The learned Counsel for the petitioner further submits that however, the police have not recovered any weapon from the petitioner.

4.The learned Additional Public Prosecutor submits that the petitioner is a habitual offender and he is involved in 24 cases, out of which, nine cases are pending trial. He was already convicted in a case and as against that conviction, the petitioner has filed an appeal before the Principal Seat of this Court in Crl.A.No.43 of 2024. He further submits that the evidence of P.W.1 makes out the case against the petitioner. That apart, the material object (Thali chain) has been recovered and marked as M.O.1. The Thali chain was recovered from this petitioner. He also submits apart from the victim's husband yet another independent eyewitness, who was standing in the place of occurrence, was also examined and the prosecution has proved the case beyond reasonable doubt.

5.This Court considered the rival submissions made.



Crl.M.P.(MD)No.13547 of 2024

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6.The petitioner has been found guilty and convicted by the trial court. As against which, he has preferred an appeal and the same has been admitted by this Court on 06.10.2021. Pending the appeal, this petitioner has moved this application to suspend the sentence. The learned Additional Public Prosecutor submitted that the allegation as against this petitioner is that this petitioner has snatched away the Thali chain of the wife of P.W.1. The Thali chain was also recovered from this petitioner. Apart from that, the petitioner is also involved in twenty four similar cases, out of which nine cases are still pending and he was already convicted in another case of similar in nature. Therefore, this court is not inclined to entertain this application.

7.Accordingly, this criminal miscellaneous petition is dismissed. Since this application is dismissed, Registry is directed to list the criminal appeal for final disposal on 03.03.2025.

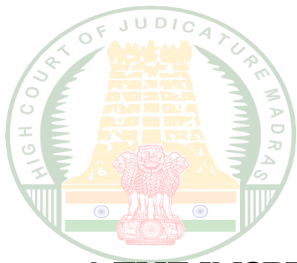
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/02/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

1 THE SESSIONS JUDGE, MAHILA COURT, PUDUKOTTAI.



Crl.M.P.(MD)No.13547 of 2024

2 THE INSPECTOR OF POLICE, PUDUKOTTAI TOWN POLICE STATION,
PUDUKOTTAI.

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

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