

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

FRIDAY, THE 15TH DAY OF MAY 2020 / 25TH VAISAKHA, 1942

CRL.M.A.NO.1 OF 2020 IN CRL.APPEAL.NO.351 OF 2020

(AGAINST THE JUDGEMENT OF CONVICTION AND SENTENCE DATED  
28.02.2020 IN SC NO. 654/2012 PASSED BY THE PRINCIPAL  
ASSISTANT SESSIONS COURT, THALASSERY)

PETITIONERS/APPELLANTS/ACCUSED NO.1 TO 8

1. PUTHALATH VINODAN  
AGED 52 YEARS, S/O. KUNHIRAMAN,  
THAYYI (H), MANGATTIDAM AMSOM DESOM,  
KINATTINTHAVIDA.
2. PALLIPIRIYATH NIDHEESH,  
AGED 32 YEARS,  
S/O.MANOCHARAN,  
PAREMMEL HOUSE.
3. UCHUMMAL RAMAKRISHNAN @RAMAN,  
AGED 54 YEARS, S/O. KORAN,  
PARAKKANDY (H),  
MANGATTIDAM AMSOM, DESOM.
4. PUTHAN VEETIL MAVILA SAJIL @ SAJITH,  
AGED 33 YEARS, S/O. KARUNAKARAN,  
SREE PARVATHI,  
MANGATTIDAM AMSOM, DESOM.
5. PUTHIYEDATHU BIJU,  
AGED 46 YEARS, S/O. DAMODARAN,  
MADATHIL (H),  
MANGATTIDAM AMSOM, DESOM, KINATTINTHAVIDA.

6. ATHIR KUNNEL PRAJEESH,  
AGED 37 YEARS, S/O. A.K. NARAYANAN,  
VALAMPIRI (H),  
KUTHUPARAMBA AMSOM, AMBILAD.
7. ATHIR KUNNEL SUBIN LAL,  
AGED 37 YEARS  
S/O. SUMATHI, SUBIN LAL (H),  
KUTHUPARAMBA AMSOM, AMBILAD
8. PUNNAKAL DAYALAN,  
AGED 47 YEARS,  
S/O. NARAYANAN NAIR,  
THAARIPOIYIL (H),  
KUTHUPARAMBA AMSOM, AMBILAD

BY ADVS.SRI.S. RAJEEV,  
SRI.K.K. DHEERENDRA KRISHNAN,  
SRI.VINAY V.,  
SRI.FEROZE D.,  
SRI.ANAND K.

RESPONDENT & RESPONDENT/STATE/COMPLAINANT

STATE OF KERALA,  
REP. BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA,  
ERNAKULAM- 682 031  
(CRIME NO.55/2008 OF KOOTHUPARAMBA  
POLICE STATION, KANNUR DISTRICT)

BY SR.PUBLIC PROSECUTOR SRI.C.S.HRITHWIK

THIS CRIMINAL M.A. HAVING COME UP ON 15.05.2020, THE  
COURT ON THE SAME DAY PASSED THE FOLLOWING:

**ASHOK MENON, J.**

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**CRL.M.A.NO.1 OF 2020**

**IN**

**CRL.APPEAL.NO.351 OF 2020**  
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**Dated this the 15<sup>th</sup> day of May, 2020**

**O R D E R**

The appellants are accused in S.C.No.654/2012 on the files of the Principal Assistant Sessions Court, Thalassery, wherein they were found guilty and convicted for offences punishable under Sections 143, 147, 148, 341, 326 and 307 read with Section 149 of I.P.C. The appellants are undergoing sentence since 28.02.2020. Considering the entirety of the evidence that is born out from the judgment, I find that the petitioners/appellants are entitled for suspension of sentence and hence the sentence of imprisonment shall stand suspended on the petitioners/appellants executing a bond for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like amount to the satisfaction of the trial court and on depositing the fine amount within a period of one month. It is also made clear that the appellants shall not get involved in any similar cases during

the suspension of the sentence. In case of default, the prosecution is at liberty to get the suspension cancelled by moving the trial court.

**ASHOK MENON  
JUDGE**

*dkr*