

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 212 OF 2015

IN

CRIMINAL APPEAL NO. 45 OF 2015

RAMESH NAIK @ LAMANI, CURRENTLY IN
CUSTODY AT CENTRAL JAIL, THR. NEXT
FRIEND RENUKA LAMANI.

... Applicant

Versus

THE STATE OF GOA, THROUGH POLICE
INSPECTOR, VASCO POLICE STATION.

... Respondent

Mr. Ryan Da Piedade Menezes, Advocate for the applicant.
Mr.M. Amonkar, Additional Public Prosecutor for the respondent.

Coram:- K. L. WADANE, J.

Date:- 7th September, 2015

P.c.

Heard Mr. Ryan Da Piedade Menezes, learned Advocate appearing for the applicant and Mr.M. Amonkar, learned Additional Public Prosecutor appearing for the respondent.

2. This is an application seeking suspension of sentence imposed upon the accused/applicant for the offences punishable under Sections 342, 506(ii) and 376 of I.P.C. read with Section 8(2) of the Goa Children's Act, 2003 by which the learned Trial Court has imposed sentence for the offence punishable under Section 342 to undergo simple imprisonment for a term of one month, under Section 506(ii) to undergo simple imprisonment for a term of one year and under Section 376 of I.P.C. read with Section 8(2) of the

Goa Children's Act 2003 to undergo rigorous imprisonment for 10 years and to pay a fine of Rs. 2,00,000/- (Rupees two lakhs only) and in default to undergo simple imprisonment for 2 years.

3. Mr. R. Menezes, learned counsel appearing for the applicant has submitted that during the trial the accused/applicant was on bail, therefore, he prays to release the accused during the pendency of the present appeal on certain conditions.

4. In view of the above, I pass the following:-

O R D E R

- i. Application is allowed.
- ii. Substantive sentence imposed upon the accused/applicant is hereby suspended till the disposal of the appeal, subject to the condition that the accused/applicant shall deposit half of the fine amount before this Court within a period of two weeks.
- iii. The accused shall be released on furnishing personal bond of Rs. 25,000/- with one surety in the like amount to the satisfaction of the Registry of this Court.
- iv. Application stands disposed of.

K. L. WADANE, J.