

Crl. M.P.No.13521 of 2016 in
Crl.A.No.833 of 2016

M.VENUGOPAL,J.,

Heard both sides.

2. The Petitioners / Appellants / A.1 to A.4 have preferred the instant Criminal Appeal before this Court (As affected persons) as against the Judgment dated 07.12.2016 in Spl. S.C.No.42 of 2015 passed by the Learned Principal District and Sessions Judge, Vellore.

3. Earlier, the trial court had found the 1st Petitioner / Appellant /A.1, 3rd Petitioner / 3rd Appellant / A.3 and 4th Petitioner / 4th Appellant / A.4 guilty under Section 324 of IPC. Further, it found the 2nd Petitioner / 2nd Appellant / 2nd Accused guilty in respect of an offence under Section 324 r/w 109 of IPC and accordingly, they (A.1 to A.4) were convicted and sentenced to undergo One Year Rigorous Imprisonment (in respect of an offence under section 324 of IPC).

4. Insofar as the offences under Sections 294(b), 307 IPC and 3(1) (x) of SC/ST Act (POA) 1989, 3(2)(v) of SC/ST Act (POA) 1989 in respect

of 1st Petitioner / 1st Appellant / A.1 and 3rd Petitioner / 3rd Appellant / A.3, and the 2nd Petitioner / 2nd Appellant / A.2 in respect of offences Section 294(b), 307 IPC r/w with 109 IPC and Section 3(1)(x) of SC/ ST Act (POA), 1989, 3(2)(v) of SC/ST Act (POA) 1989 r/w 109 of IPC and the 4th Petitioner / 4th Appellant / 4th Accused in respect of offences under Sections 294(b), 307 IPC and 506(ii) and Section 3(1)(x) of SC/ST Act (POA) 1989, 3(2)(v) SC/ST Act (POA)1989, they were found not guilty by the trial court, since the prosecution had not proved the aforesaid offences beyond reasonable doubt.

5. Per contra, it is the submission of the Learned Government Advocate (Crl.Side) that the trial court had considered the entire oral and documentary evidences available on record and found the Petitioners / Appellants/ A.1 to A.4 guilty in respect of offences levelled against them and imposed necessary punishments.

6. Considering the fact that the Petitioners / Appellants / A.1 to A.4 have preferred the instant Criminal Appeal before this Court (as affected persons) and this Court bearing in mind an important fact that the 'Appeal' is a continuation of Original Proceedings and also this Court bearing in mind yet another fact that the present Criminal Appeal is not likely to be

heard in the near future and also by looking into the instant facts and circumstances of the present case, which float on the surface at this stage, is inclined to suspend the substantial sentence of imprisonment alone and directs the release of the Petitioners/ Appellants on each of them executing a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a likesum to the satisfaction of the Learned Principal District and Sessions Judge, Vellore, Vellore District and on further condition that they shall appear before the said Court on the 1st Working day of every English Calendar Month at 11.00 a.m. without fail till the disposal of the Criminal Appeal.

Accordingly, this Miscellaneous Petition is ordered on above terms.

22.12.2016

Index: Yes/No
Internet: Yes/No
ssd

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ssd

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